



Federal Energy Regulatory Commission
Office of Energy Projects
Washington, DC 20426

Southeast Market Pipelines Project

Final Environmental Impact Statement

Volume III

Florida Southeast Connection, LLC
Transcontinental Gas Pipe Line Company, LLC
Sabal Trail Transmission, LLC

Docket Nos. CP14-554-000, CP15-16-000, and CP15-17-000
FERC/EIS-0262F

Cooperating Agency:



**US Army Corps
of Engineers®**

U.S. Army Corps of Engineers

December 2015

This environmental impact statement was prepared by the staff of the Federal Energy Regulatory Commission to assess the potential environmental impacts of the Southeast Market Pipelines Project (Docket Nos. CP14-554-000, CP15-16-00, and CP15-17-000), proposed for construction in Alabama, Georgia, and Florida. The cooperation and assistance of the U.S. Army Corps of Engineers was greatly appreciated.

FEDERAL ENERGY REGULATORY COMMISSION

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Final Environmental Impact Statement

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APPENDIX O

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT AND RESPONSES

(Part 1 of 3)

Southeast Market Pipelines Project
Comments on the Draft EIS and Responses

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We note that the clarity of some letter images is low due to the necessity of reducing the files for our responses in this appendix. Appendix O and each of the individual comment letters are available for viewing in their native formats on the FERC eLibrary website (www.ferc.gov) to resolve any issues with image constraints due to printing.¹

¹ Individual comment letters are available for viewing on the FERC Internet website (<http://www.ferc.gov>). Using the “eLibrary” link, select “General Search” from the eLibrary menu, enter an appropriate date range and “Docket No.” excluding the last three digits (i.e., CP14-554, CP15-16, and CP15-17), and follow the instructions. For assistance, call 1-866-208-3676, or e-mail FERCOnlineSupport@ferc.gov.

FEDERAL AGENCIES

FA1 – U.S. Department of the Interior

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United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Richard B. Russell Federal Building
75 Spring Street, S.W., Suite 1144
Atlanta, Georgia 30303



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9043.1

October 26, 2015

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
Mail Code HL-20
888 First Street, N.E.
Washington, DC 20426

Re: Comments on the Draft Environmental Impact Statement (DEIS) for the Proposed Lake
Southeast Market Pipelines Project, FERC # CP14-554-000

Dear Ms. Bose:

FA1-1 The U.S. Department of the Interior (Department) has reviewed the the Draft Environmental
Impact Statement (DEIS) for the Proposed Lake Southeast Market Pipelines Project. We have
not comments at this time.

Thank you for the opportunity to provide comments on this project. If you have questions, please
contact me via email at joyce_stanley@ios.doi.gov or at (404) 331-4524.

Sincerely,

Joyce Stanley, MPA
Regional Environmental Protection Specialist

cc:

Christine Willis – FWS
Gary Locain – USGS
Anita Barnett – NPS
Harold Peterson – BIA
Robin Ferguson – OSMRE
OEPC – WASH

FA1-1

Comment noted.

I-O

FEDERAL AGENCIES

FA2 – U.S. Environmental Protection Agency

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

October 26, 2015

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE, Room 1A
Washington, DC 20426

SUBJECT: Draft Environmental Impact Statement for the Proposed Southeast Market Pipelines
Project, FERC Docket Numbers: CP14-554-000, CP15-16-000, and CP15-17-000;
ERP No. FRC-E03020-FL-AL-GA; CEQ No. 20150256

Dear Ms. Bose:

The United States Environmental Protection Agency (EPA) has completed its review of the subject Draft Environmental Impact Statement (DEIS) pursuant to the Clean Air Act Section 309 and the National Environmental Policy Act (NEPA) Section 102(2)(C) requirements. The Federal Energy Regulatory Commission (FERC) proposes to license the construction of a total of 685 miles of natural gas transmission pipelines and associated facilities consisting of three separate pipeline projects (i.e., Transco's Hillabee Expansion Project, Sabal Trail and the Florida Southeast Connection). The Sabal Trail project is approximately 515 miles of new pipeline and easements from central Alabama through southwest Georgia to Osceola County, Florida. The proposed pipeline is expected to have potentially significant environmental issues related to drinking water supplies (Floridian aquifer), sensitive geologic formations (Karst), wetlands, conservation areas, environmental justice (EJ) communities, and air quality and greenhouse gas (GHG) emissions. The proposed Sabal Trail project alone will provide up to 1.1 billion cubic feet per day of natural gas to central and northern Florida.

The EPA has consistently expressed concerns over the preferred route through the States of Georgia and Florida to both the FERC and its applicant throughout the FERC's NEPA scoping process. The FERC's environmental analysis in the DEIS is primarily focused on identifying and mitigating impacts to the proposed action associated with proposed project and not avoiding and minimizing impacts to environmentally sensitive areas. The EPA has attached detailed review comments to this letter for the FERC's consideration (See attachment).

The EPA has very significant concerns over the FERC's process and full and objective compliance with the NEPA regulations at 40 CFR Part 1500. The FERC's consultations with the Florida and Georgia Geological Societies, Suwannee River Water Management District, Florida Department of Environmental Protection (FDEP), and the EPA occurred after the FERC accepted the applicant's 2014 application and after it approved the applicant's 2013 request to initiate the FERC's NEPA pre-filing process. Both the application and the pre-filing request contained the applicant's preferred route which became the FERC's preferred route as identified in the DEIS. The FERC/applicant's preferred route is the subject of an enforceable contract between the applicant and Florida Power and Light (FPL) that was signed on June 26, 2013. The

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FA2-1

We disagree with the EPA's assertion that the EIS does not focus on avoiding and minimizing impacts on environmentally sensitive areas. The EIS clearly describes how the SMP Project would avoid and minimize environmental impacts. Specifically, 1) a significant portion of the SMP Project would be collocated with existing utility rights-of-way, thereby avoiding impacts and reducing the overall project footprint; 2) workspace has been minimized to the amount necessary to safely construct the project, workspace was reduced in wetlands, and was restricted near other sensitive resources; 3) various special construction methods such as HDD would be used to cross wetlands and waterbodies; and 4) stringent erosion control procedures and other construction procedures that avoid or reduce impacts would be implemented. In addition, section 4.0 of the EIS details the extensive review of route and aboveground facility alternatives that FERC staff undertook, and documents the many modifications made to the Applicants' original proposals to avoid and minimize environmental impacts.

FA2-2

The EPA's concerns regarding our review process and compliance with NEPA regulations are erroneous. Section 1.2 of the EIS identifies the purpose and scope of the EIS and identifies our compliance with NEPA regulations and FERC regulations implementing NEPA. As explained in section 1.2.1, the FERC is required by the Energy Policy Act of 2005 to evaluate industry-initiated proposals to construct and operate interstate natural gas transmission facilities; the Commission does not initiate natural gas transmission projects. Consequently, the EIS never refers to an alternative as "preferred" but correctly refers to the Applicants' project components as the "proposed" action or route.

Furthermore, the EPA's belief that our alternatives analysis was affected by the Applicants' precedent agreements is unfounded. During the 2-year-long environmental review process, the FERC engaged in a significant level of public outreach, agency consultation, and analysis to identify and review a wide range of reasonable alternatives to the Applicants' proposal. Section 4.0 of the EIS states that for an alternative to be recommended, it must meet the stated purpose of the project; be technically and economically feasible and practical; and offer a significant environmental advantage over the proposal. Based on these criteria and as detailed in section 4.0, we evaluated 7 system alternatives, 12 major route alternatives, 334 route variations, 10 alternative compressor station locations, and the use of electric-driven compressor units. Thus, the alternatives analysis detailed in the EIS is wide-ranging, independent, and objective.

The Commission considers long term precedent agreements between applicants and their customers to be a significant indicator of project need. These agreements typically identify a date on which the gas capacity would commence, which then establishes the applicant's proposed project schedule. The Commission is not required to complete its review and issue its decision on whether to authorize a project within the applicant's proposed timeframe. However, the timeframe for alternatives that would result in a substantially later in-service date can factor into whether the alternative would meet the purpose and need of the project, but does not overly constrain the identification and analysis of reasonable alternatives.

Federal Agency Comments

FA2 – U.S. Environmental Protection Agency (cont'd)

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FA2-2 (cont'd) FERC's preferred route is also the subject of FPL's December of 2012 request for proposals. Moreover, the applicant has indicated that the route's alternative analyses is severely constrained by precedent agreements with its main client. From the EPA's understanding, the applicant will potentially suffer 'monetary damages' if it cannot meet its pre-committed contractual deadlines. The EPA believes that these pre-conditions may have affected the FERC's ability to rigorously explore other potentially more environmentally-sound alternatives for portions of the proposed pipeline route.

FA2-3 Based upon the EPA's calculations from different tables and sections of the DEIS, it is projected that the proposed pipelines will directly impact a total of 1,255.1 acres of jurisdictional wetlands covering three (3) U.S. Army Corps of Engineers (ACE) Districts (i.e. Mobile, Jacksonville and Savannah). The DEIS does not fully identify avoidance and minimization measures for the preferred alternative's jurisdictional impacts as required by the Clean Water Act Section 404(b)(1) Guidelines. Furthermore, the FERC's compensatory mitigation plan for unavoidable impacts to jurisdictional waters of the U.S. has not been finalized and the draft mitigation plan was not included in the DEIS.

FA2-4 The proposed project will also directly impact 177.8 acres of numerous conservation areas, including the Green Swamp in Florida. The EPA has substantial environmental concerns with these dedicated conservation areas being permanently converted to a pipeline easement. From the DEIS it appears that it is the FERC's and applicant's intent to let these conservation areas naturalize to pre-construction conditions and that this land use conversion will not be a significant long-term environmental issue. From past experiences with utility easements and required maintenance and access, the EPA does not believe that this proposition is accurate and that there will also be potential long-term impacts to natural resources including water quality and aquatic resources in and adjacent to the easements.

FA2-5 The proposed pipeline is expected by the EPA to have significant impacts to karst areas in the State of Georgia and Florida and represents a potential threat to groundwater (and surface waters) resources. The EPA is requesting that the FERC develop an alternative route to avoid impacts to the Floridan Aquifer and its sensitive and vulnerable karst terrain. The EPA has recently received an emergency petition¹ to designate the entire Floridan Aquifer System as a sole source aquifer pursuant to §1424(e) the Federal Safe Drinking Water Act. This designation is for areas that may have no alternative drinking water source physically and economically available to supply all who depend on the aquifer for drinking water. Moreover, the Florida Geological Survey has delineated a 32-county Springs Protection Area to protect the sole source of drinking water and the source of spring discharge, groundwater from the Floridan Aquifer.

FA2-6 The DEIS did not fully address the December of 2014's *Revised Draft Guidance for Greenhouse Gas Emissions and Climate Change Impacts* issued by the President's Council on Environmental Quality (CEQ). As described in the guidance, "Unlike the 2010 draft guidance, the revised draft guidance applies to all proposed Federal agency actions". The FERC should comply with the guidance and fully address the requirements in either a supplemental or final NEPA document.

FA2-7 The EPA generally supports alternative, cleaner fossil fuels such as natural gas to replace coal-fired and oil-fired power plants. However, considering the potential magnitude of the proposed

¹ April 28, 2015, emergency petition submitted by the Sierra Club Florida Chapter to the EPA.

FA2-2 (cont'd) Regarding schedule-related monetary damages that an applicant and its customer may agree to, such agreements are at their risk and do not enter into our alternatives analysis. Similarly, expenditures by an applicant prior to the Commission's decision to approve or deny the project, such as land or materials acquisition, are at their risk and do not enter into our alternatives analysis.

FA2-3 We disagree. Avoidance and minimization measures are disclosed in section 2.0 of the EIS, and include collocation of the pipeline to a significant degree with existing facilities to avoid impacts. However, to ensure these measures are clear to the reader we have revised applicable sections of the EIS.

The wetland mitigation measures are described in the Applicants' construction plans as referenced in sections 2.3, 3.4.2, and 3.4.3 of the EIS. The USACE wetland mitigation plans (i.e., purchase of wetland banking credits in addition to the Applicants' other commitments) are to be defined by the USACE as part of its Section 404 authorizations. The FERC relies on the USACE to determine any compensatory mitigation required for unavoidable wetland impacts and we disclose in section 3.4.3 of the EIS those wetland banks that are currently under consideration for use. In addition, recommendation #8 in section 5.2 of the EIS states that no work should be allowed to begin until all applicable regulatory approvals have been received, and recommendation #13 requires that documentation of the Applicants' final wetland mitigation plans to purchase wetland bank credits, and USACE approval of the plans, be filed prior to construction.

FA2-4 We disagree. In our experience, affected lands often return to preconstruction conditions within 1 to 3 years. We also note that the presence of a utility easement is not inconsistent with the management of many conservation areas, and have not identified any long-term impacts on water quality or aquatic resources for any of the SMP Project areas, including conservation easements. Where those areas contain wetlands, mitigation would be completed as described in response to comment FA2-3. Secondary and indirect impacts on aquatic and water resources located adjacent to the proposed easements are disclosed in section 3.4.2.2 along with proposed mitigation measures to minimize adverse effects. In addition, we understand the USACE accounts for potential secondary and indirect effects as part of its requirements for mitigating unavoidable impacts.

FA2-5 As detailed further in response to comment FA2-27, we strongly disagree with the EPA's expectation that the SMP Project would have a significant impact on karst areas in Georgia and Florida and represents a threat to groundwater and surface waters.

Sections 3.1.2.3 and 3.3.1.5 of the EIS characterize karst conditions in the project area, including sinkholes and springs, respectively; describes the potential impacts that construction and operation of the project could have on these resources; describes the specific construction procedures and mitigation measures that the Applicants would implement to avoid and minimize impacts; and explains why impacts would not be significant. Our staff of geologists and hydrogeologists consulted with the Florida Geological Survey, Georgia State

FA2 – U.S. Environmental Protection Agency (cont'd)

FA2-5 (cont'd) Geologist, and other agencies with karst expertise throughout our review of karst issues for the SMP Project, and other stakeholders informed our analysis.

We understand that the Floridan Aquifer System (FAS) is receiving increased attention as a result of regulatory restrictions on water-supply withdrawals and treated wastewater management practices. At the end of April 2015, the Sierra Club, through its Florida Chapter, filed an emergency petition with the EPA seeking designation of the Floridan Aquifer as a Sole Source Aquifer under the EPA's Sole Source Aquifer Protection Program. The Sierra Club asserts that the Floridan Aquifer is threatened by over-allocation, over-pumping, pollution, and waste (<http://www.sierraclubfloridanews.org/2015/05/more-floridan-aquifer-protection-called.html>). The EIS explains why construction and operation of the SMP Project would not result in significant impacts on groundwater resources, regardless of designation, or petitions for designation, that are still pending.

The EIS acknowledges the tremendous physical extent and productivity of the FAS. The FAS covers more than 100,000 square miles including all of Florida and parts of three other states including Georgia, and ranges from 250 to 3,000 feet thick. As an indication of its productivity, about 4 billion gallons of water was withdrawn from the FAS and an additional 8 billion gallons of water discharged from springs each day in 2000. Considering the sheer magnitude and extent of the FAS and as detailed in section 3.3.1.7 of the EIS, construction and operation of the SMP Project would not significantly impact the FAS or associated springs, surface waterbodies, or wells as more than 98 percent of the pipeline would be installed in shallow trenches with very limited potential to impact water resources. The EIS further explains that the greatest potential impact on the FAS would be increased turbidity associated with the loss of bentonite-based drilling mud at five HDD locations where the drill path would encounter limestone bedrock. Turbidity would dissipate with time and distance, and would be further minimized by project-specific construction and mitigation plans. Furthermore, these five HDD locations are separated from each other by between 40 and 80 miles.

As discussed in EIS section 3.3.1.7, and shown in table 3.3.2-8, Sabal Trail would use a total volume of up to approximately 47 million gallons of groundwater during construction of the SMP Project. In addition, FSC would utilize up to approximately 29 million gallons of water during construction. The majority of this water would be obtained throughout Phase 1 of construction (about 12 months) from municipal sources and private wells that would be installed at compressor stations. This water use equates to about 0.2 million gallons of water per day (mgd) with an average rate of groundwater withdrawal over the 12-month construction duration on the order of 140 gallons per minute. This water would be pumped from multiple well locations and would not constitute any concentrated permanent points of withdrawal, or water-level drawdown at any specific area. Project groundwater withdrawals from the FAS would be returned to the aquifer through post-use discharge into upland areas and would not constitute a consumptive use of groundwater from the aquifer. As such, this short-term, non-consumptive volume of groundwater use would not impact the availability or productivity of groundwater resources in the FAS.

FA2-5 (cont'd) Additionally, as discussed in section 3.1.8 of the EIS, within 20 days of backfilling the trench (10 days in residential areas) all work areas would be graded and restored to preconstruction contours and natural drainage patterns as closely as possible. This is a standard construction practice required by our Upland Erosion Control, Revegetation and Maintenance Plan for all natural gas pipelines constructed under FERC authorization. These construction requirements are meant to mitigate the potential of an increase in impermeable surfaces over construction work areas and to minimize impact to natural infiltration capacity of post-construction surfaces, and as such implementation of these requirements would ensure that natural groundwater recharge capacity from pipeline construction activities over the FAS does not occur or is minimized.

Regarding the potential for the proposed pipelines to contaminate water resources, it is important to understand that the SMP Project would convey natural gas, not a liquid product. The primary component of natural gas is methane and low concentrations of ethane, that would, if released, dissipate as a gas into the atmosphere. In addition, section 3.13.2 of the EIS explains that the likelihood for the proposed pipelines to lose integrity over the operating life of the project is extremely low.

The EPA is referred to sections 4.2 and 4.3 of the EIS which consider system and route alternatives, respectively, including alternatives that would avoid or reduce project siting in karst sensitive areas.

The EPA is referred to section 3.3.1.5 for a detailed description of springs in the SMP Project area, including the referenced Florida Springs Protection Area.

FA2-6 See section 3.14.4 for additional information related to the GHG emissions from coal and natural gas as well as FERC's policy on conducting lifecycle analyses.

FA2-7 See section 3.14.4 for additional information related to the GHG emissions from coal and natural gas as well as FERC's policy on conducting lifecycle analyses.

FA2 – U.S. Environmental Protection Agency (cont'd)

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FA2-7 (cont'd) project and its resulting greenhouse gas (GHG) emissions, the EPA is requesting that a full life cycle analysis (LCA) be conducted for the proposed pipeline project.

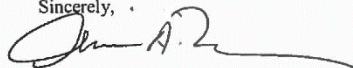
FA2-8 The EPA has rated the DEIS's preferred alternative as 'EO-2', meaning that we have 'environmental objections' to a significant portion of the proposed pipeline route due to the magnitude of the impacts to jurisdictional wetlands and that we are requesting additional information that was not included. As currently proposed in the DEIS, the preferred alternative has the potential to violate the Section 404 requirements of the Clean Water Act. Appropriate and required avoidance and minimization measures to jurisdictional resources have not been documented and the plans to provide compensatory mitigation for unavoidable impacts were not disclosed in the DEIS. Furthermore, the proposed action has the potential to effect the designation of the Floridan Aquifer as a sole source aquifer under the Safe Drinking Water Act.

FA2-9 The EPA has substantial environmental concerns that local community water supplies could be adversely impacted in the future. Additional clarification is also being requested for potential impacts to environmental justice (EJ) communities. The analysis performed in the DEIS does not fully inform the public as to the potential direct or indirect impacts to EJ communities resulting from the proposed action.

FA2-10

The EPA has attached its specific recommendations for the FERC's further consideration. The EPA recommends that the FERC re-evaluate its environmental alternatives analysis for routes that avoid environmentally sensitive areas including jurisdictional wetlands, conservation areas, EJ communities and sensitive karst terrain areas prior to proceeding with a final EIS (FEIS). As previously noted, the EPA also requests that the FERC fully investigate compliance with CEQ's guidance on GHG emissions and climate change. For questions regarding EPA's review of the DEIS and the attached detailed comments, please contact Ms. Beth Walls of my staff at walls.beth@epa.gov or 404-562-8309.

Sincerely,



Christopher A. Militscher
Chief, NEPA Program Office
Resource Conservation and Restoration Division

Attachment: EPA's detailed comments

Cc: Karin Leff, Acting Director, NEPA Compliance Division, EPA HQ
Tony Able, Chief, Wetlands Streams Regulatory Section, EPA R4
Fred McManus, Chief, Ground Water and UIC Section, EPA R4
Philip Mancusi-Ungaro, Office of Regional Counsel, EPA R4

FA2-8 See response to comment FA2-04.

FA2-9 See response to comment FA2-05.

Regarding the EPA's concern that operation of the SMP Project could adversely impact community water supplies, refer to section 3.3.1.7 of the EIS for a detailed description of the potential impact that operation of the project could have on groundwater resources and public water supplies; we conclude that operation of the project would not have a significant impact on these resources.

FA2-10 See response to comment FA2-23.

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Attachment
EPA Detailed Comments on FERC's Draft Environmental Impact Statement for the
Proposed Southeast Market Pipelines Project
CEQ No. 20150256, ERP Number FRC-E03020-FL-AL-GA.

BACKGROUND: The proposed action consists of construction and operation of three separate, but related, interstate natural gas transmission pipeline systems: the Hillabee Expansion Project, the Sabal Trail Transmission Project, and the Florida Southeast Connector (FSC) Project. The reason for the proposed action centers on Florida Power & Light Company's (FPL) geographically specific request for proposal to construct and operate a new, onshore natural gas transmission pipeline originating near Transco's Compressor Station 85 in Choctaw County, Alabama, extending through southwest Georgia and central Florida, connecting to a hub in Osceola County, FL, then extending to FPL's existing Martin County, Florida, Clean Energy electric generating plant.

Hillabee Expansion Project: Transcontinental Gas Pipe Line Company, LLC (Transco) proposes to construct and operate 43.5 miles of pipeline loop in eight segments, one new natural gas fired-compressor station, modify three existing compressor stations, and mainline valves, pig launchers and receivers, and the necessary appurtenant facilities. The purpose is to increase the volume of natural gas available to source the proposed Sabal Trail Transmission pipeline. Transco's mainline transports natural gas from the Texas Gulf Coast region to southern New England. Transco is currently implementing improvements to ship natural gas from the Marcellus Shale region of the Mid-Atlantic States back toward the Gulf Coast through its main line. Gas from the Marcellus Shale region can then be exported from liquid natural gas (LNG) facilities on the Gulf Coast. These LNG facilities currently are adding liquefaction capacity to export natural gas in the liquid form to overseas markets. According to the FERC, of the five Gulf Coast LNG Export terminals it has recently approved, four are under construction.¹ And there are 16 additional proposed liquefaction/export terminals for the Gulf Coast."

Sabal Trail Transmission Project: The Sabal Trail Transmission, LLC, proposes to construct and operate the Sabal Trail Transmission System (STT Project). The STT Project consists of 480.9 miles of 36-inch-diameter mainline pipeline to connect to Transco's main line in Alabama. This pipeline will traverse through southwest Georgia, and Florida. It will require the construction of 5 compressor stations to pump gas through the mainline. These stations will be located in Alabama, Georgia, and Florida. This pipeline system includes the construction of a hub, the Central Florida Hub, and 2 pipeline laterals: 13.1 miles of 36-inch-diameter lateral pipeline, called the Hunters Creek Line, and 21.5 miles of 24-inch-diameter lateral pipeline, called the Citrus County Line, both in Florida. The proposed system will also require the construction of mainline valves, pig launchers and receivers, meter and regulations stations, and other necessary appurtenant facilities.

The Florida Southeast Connector Project: Florida Southeast Connection, LLC, proposes to construct and operate the Florida Southeast Connector (FSC) transmission pipeline system (FSC Project). The FSC Project will transport natural gas from the Central Florida Hub to FPL's

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existing natural gas-fired Martin Plant, in Martin County, Florida. To do this, FSC will construct and operate 77.1 miles of 36-inch-diameter pipeline and 49.3 miles of 30-inch-diameter pipeline, and associated infrastructure including mainline valves, 2 pig launchers and receivers, meter and regulating stations in southeast Florida.

AFFECTED ENVIRONMENT: The Floridan Aquifer is one of the most productive aquifers in the world. It provides water for hundreds of thousands of people in small communities and rural areas in addition to large population centers of Florida and Georgia. The Environmental Protection Agency (EPA) has recently received an emergency petition^{vi} to designate the Floridan Aquifer System as a sole source aquifer pursuant to the Federal Safe Drinking Water Act (SDWA).^{vii}

The Floridan is composed of a thick sequence of soluble limestone, located in a humid, subtropical climate. It contains fracture systems, indicated by linear traces on the land surface, which are associated with concentrated karst features associated with increased water movement and dissolution. It is highly permeable and highly susceptible to land-use associated contamination. Many of its springs exhibit increased nitrogen levels associated with agricultural practices. The preferred route alternative as presented traverses the Floridan Aquifer where it has the highest transmissivities - horizontal groundwater flow rates - greater than 1,000,000 square feet per day.^v These transmissivities approximate the speed pollutants can move through the aquifer. Additionally, the preferred route traverses areas in both Florida and Georgia where the Floridan aquifer is also unconfined which means it is either exposed to the surface or has a thin cover.^{vi}

The Floridan Aquifer's karst landforms also include sinkholes, caves, disappearing streams, springs, extensive underground voids (caves, caverns, and conduits) and drainage systems.^{viii} Springs are the surface discharge point for its underground drainage system. Sinkholes can occur in the beds of streams, sometimes taking all of the stream's flow, creating a disappearing stream. Dry caves are parts of karst drainage systems that are above the water table, such as Marianna Caverns. Additionally, the Floridan Aquifer contains well-developed underwater, unmapped cavern systems, large enough to be explored by divers, such as the Madison Blue Spring which is still being mapped.

Floridan Aquifer - Georgia

The proposed pipeline route enters the karst-sensitive area of the Floridan Aquifer in southeastern Stewart County, Georgia, 20 miles east of the Alabama border. The pipeline route continues into Georgia within this karst-sensitive area in parts of Webster and Terrell Counties. The applicant identified 235 potential sinkholes over a 126 mile segment within the proposed route corridor through southwest Georgia. Additionally, 17 fracture also traces intersecting the proposed route it in Terrell, Dougherty, Brooks, and Lowndes Counties.^{xiii} The Floridan Aquifer is unconfined in the Dougherty Plain where it serves as the primary water supply for southwestern Georgia. The Dougherty Plain's prevalence of karst topography, including sinkholes and springs makes it one of the most sensitive areas in Georgia the proposed action crosses.

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At least two known major springs exist in the vicinity of the pipeline: Radium, and Blue (Wade) springs. The proposed pipeline exits the western lobe of the Radium spring shed up-gradient of this spring in Dougherty County at a distance of approximately 2.3 miles. The proposed pipeline's closest approach to this spring is approximately 1.05 miles. The proposed pipeline passes within 0.88 miles of Blue (Wade) spring in Brooks County. Moreover, springs feed most of the Flint River within Dougherty County. Most of these springs are unmapped and located within the river channel. The proposed pipeline will cross both the Flint and Withlacoochee Rivers in Georgia using the HDD technique. The proposed Flint River crossing is in Dougherty County, approximately 1.7 miles southwest and downstream of Radium Spring. And the proposed Withlacoochee River crossing is between Brooks and Lowndes Counties, approximately 0.9 mile northeast and upstream of Blue (Wade) spring. The proposed route crosses the eastern edge of the Dougherty Plain, it then traverses the Solution Escarpment as it passes into Mitchell County. The escarpment's base is characterized by solution features: long, narrow cavities or sinkholes. The proposed route then crosses southeastern Brooks and southwestern Lowndes Counties where the Floridan Aquifer's confining units have been eroded, resulting in increased prevalence of sinkholes in this area.

Floridan Aquifer - Florida

Approximately half of Florida has less than 98 feet of overburden soil over a thick limestone platform, with rock outcropping in many areas. The limestone is often weathered or poorly consolidated near the surface. Similar to the Dougherty Plain, the limestone contains fissures and solution channels providing conduits for the vertical flow of surface water into the Floridan Aquifer.¹⁴ A major Floridan Aquifer feature is the Cody Scarp, which runs from east of the Apalachicola River to Alachua County. It forms the boundary between the Gulf Coastal Lowlands and the Northern Highlands of Florida.

Because numerous sinkholes, sinking streams, siphons, springs, and other karst features extend along the length of the Cody Scarp, this may be the most sensitive area in Florida that the proposed route crosses. Within this Scarp, it is common for smaller individual sinkholes to merge into larger sinkholes, often shallow and irregular in shape. The large size of sinkholes on the Cody Scarp is due to the thick cover over the limestone. Recharge on the Scarp tends to form vertical conduits under large sinkholes and in association with 'swallets', openings through which a stream disappears underground, and siphons, a flooded section of a cave, that capture runoff. According to the FERC, the proposed pipeline will cross the Falmouth/Cathedral cave system near its proposed crossing of Interstate I-90 in Suwannee County (near MP 270.5 A). The proposed pipeline will be approximately 150 feet above the cave.

The Cody Scarp is characterized by sinking streams, springs, and large sinkholes within the Suwannee River Water Management District (SRWMD). With over 300 documented springs, the SRWMD has one of the highest concentrations of freshwater springs in the United States. Of the State's 33 first-magnitude springs (ones flowing at least 100 cubic feet per second, or 64 million gallons a day), 18 are within the SRWMD. According to the SRWMD except for the Suwannee River, every single river that crosses the Cody Scarp goes underground and reemerges downstream as a spring. The entire Santa Fe River at O'Leno State Park is swallowed up by a sink as it crosses the Cody Scarp. The Santa Fe River travels underground through a network of

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cave passages for over three miles before re-emerging at a spring in River Rise Preserve State Park.

The proposed pipeline will use the HDD technique to cross both the Suwannee and Santa Fe River within the SRWMD. According to FERC, the proposed pipeline will cross the Cody Escarpment from approximate MP 260 in Madison County to about MP 272R in Gilchrist County. After the proposed route crosses the Suwannee River, enters Suwannee County, it passes near the western boundary of the Ichetucknee Springshed, then crosses the Santa Fe River before entering Gilchrist County. The applicant identified 3,750 known karst and potential karst features within 0.25 mile of the proposed pipeline and 24 fracture traces that intersect it in Hamilton, Madison, Suwannee, Gilchrist, Alachua, and Levy Counties. Another 4 fracture traces were identified intersecting the proposed Citrus County Line.

The proposed action also includes the construction of the Citrus County Line to connect to Duke Energy's new combined-cycle plant, near the existing Crystal River Energy Complex, in Citrus County. The HDD technique will also be used to cross the Withlacoochee River in Florida. The Withlacoochee River forms the boundary between Citrus County and Sumter County, between Citrus County and Marion County and between Citrus County and Levy County, including Lake Rousseau. The Withlacoochee River originates in central Florida's Green Swamp, east of Polk City. The proposed route will cross the Green Swamp in Lake and Polk Counties where there are numerous conservation easements and land use zoning restrictions. The Green Swamp as it has been described as the "*liquid heart of Florida*" and is an approximately 560,000-acre area that acts as the headwaters to four major rivers in Florida, including the Withlacoochee, Hillsborough, Peace, and Ocklawaha Rivers.

Conservation Easements

The proposed route will impact private conservation lands: Warner/Harrell Conservation Easement/Echo Plantation where both HDD and open cut trench methods are proposed. Open cut trench methods are proposed for the Chinquapin Farm Conservation Easement, which the SRWMD is a co-owner; Green Swamp Conservation Easements, which FLDEP is a co-owner, both the Green Swamp Land Authority Land Protection Agreements and the Southwest Florida WMD Green Swamp Conservation Easements, and Jahna Ranch Conservation Easement, co-owned by FLDEP.

Springs

Florida has over 1,000 freshwater springs, including 33 of the 75 first-magnitude springs in the United States. Nearly all of the first-magnitude springs occur in areas where the Floridan Aquifer is unconfined or thinly confined. The Florida Geological Survey identified a 32-county area in northern and northwestern Florida as the Florida Springs Protection Area (SPA). The SPA was developed to assist counties and municipalities in land use planning and resource protection practices relative to springs. In this SPA, the sole source of drinking water and the source of spring discharge is groundwater.⁴ Except for the Hunters Creek Line, the entire Sabal Trail Project in Florida occurs within the SPA. The flow system in the upper Floridan Aquifer within a spring shed is likely to be dominated by conduits that may be large enough to be explored by divers. Springsheds that could potentially experience the highest level of effects from the proposed pipeline are Rainbow Springs, Marion County, and Gum Slough in Marion and Sumter

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Counties. The proposed route crosses a large portion of the western third of Rainbow Springs' Springshed and within 1.8 miles of Rainbow Springs. It also crosses a significant portion of the Gum Slough Springshed within 1.1 miles of the spring. The FERC states the proposed action will cross 11 mapped 1st and 2nd magnitude springsheds, with the nearest approach of the pipeline facilities to a major spring of 0.7 mile near Gum Spring in Sumter County, FL.

ENVIRONMENTAL IMPACTS: The proposed action will withdraw 188.7 million gallons of water and withdrawals could range as high as 8 millions of gallons per day, or higher. The Hillabee Expansion Project will withdraw 13.7 million gallons of water from seven surface water sources. The Sabal Trail Transmission project will use 146 million gallons of water, including seven surface water sources for hydrostatic testing purposes and eleven surface water sources for HDD purposes. The FSC Project will use 29 million gallons of water for hydrostatic testing and 740,000 gallons for horizontal directional drilling (HDD) purposes.

The proposed action will impact 1,954 wetland systems comprising 1,255.1 acres of wetlands. The Sabal Trail Transmission Project will impact a total of 940.2 acres of wetland would be affected by construction of the SMP Project, including 107.6 acres in Alabama, 134.3 acres in Georgia, and 698.3 acres in Florida. The Hillabee Expansion Project will impact about 82.8 acres of wetlands and the Florida Southeast Connector Project will impact about 232.1 acres of wetlands. The proposed action will also impact 32.8 acres of conservation lands in Georgia. The proposed action will impact 145 acres of conservation easements in Florida, including 96.3 acres in Green Swamp. It will impact 51.3 acres of state forests, 127.9 acres of conservation areas and preserves.

Overland construction could increase turbidity and impact flow at nearby springs. Two springs were identified within 0.5 mile of overland construction areas in karst sensitive areas of Florida, the nearest of which is the A. Wayne Lee Spring approximately 0.2 mile down gradient from MP 411.5 in Sumter County.

According to the FERC, the primary geologic impact that could affect the proposed pipeline and aboveground facilities in karst sensitive areas is the sudden development of a sinkhole that damages the facilities and poses a safety risk. Other subsidence features could develop gradually over time, but would not pose an immediate risk to the proposed facilities. Karst features could be initiated by the physical disturbance associated with trenching, grading, or HDD activity; or by diverting or discharging project-related water into otherwise stable karst features.

EPA RECOMMENDATIONS

Purpose and Need

- FA2-11 | The EPA recommends that the FERC clarify the inconsistencies in its expressed purpose and need. Two separate, independent purpose and needs are identified. In Chapter 1 of the DEIS, the FERC narrowly defined the purpose and need to a geographic area as specified in Sabal Trail Transmission, LLC's 2013 contract with FPL. In Chapter 4, the proposed action's purpose is *'to transport price competitive natural gas from AL to FL'*. The two statements are not the same. The FERC indicates that the FPL expressed the need to satisfy its future natural gas requirements

- FA2-11 | Section 1.1 provides the Applicants' stated purpose and need. The purpose and need statement in section 4.0 was intended as a summary of the statement provided in section 1.1. Section 1.0 has been revised to include the FERC's stated mission.

See the response to comment FA2-02 which explains that the FERC evaluates industry-initiated proposals for interstate natural gas capacity to meet stated customer needs. This process necessitates that applicants explain their perceived purpose of the project, including timing, and propose facilities and routing to transport the requested capacity from a receipt point to a delivery point. The SMP Applicants did so in their initial proposal and final application to the Commission. We disagree that the stated purpose and need for the SMP Project overly constrained our review of reasonable alternatives as demonstrated by our comprehensive review of a wide-range of alternatives in section 4.0 of the EIS. The EPA states that the Commission's letters authorizing the SMP Project Applicants to utilize our Pre-filing Process included "...approving the Applicant's narrowly defined geographic purpose". This is simply incorrect and appears to have contributed to the EPA's misunderstanding that authorization or routing decisions were made prior to implementing the NEPA process and prejudiced our review of alternatives.

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FA2-11
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while increasing the reliability and diversity of its natural gas infrastructure.⁴⁴ According to the Council on Environmental Quality (CEQ), the purpose and need provides the framework in which reasonable alternatives to the proposed action will be identified.⁴⁵ Consequently, the EPA recommends the purpose and need statement more closely reflect the FERC's mission, *'assist consumers in obtaining reliable, efficient and sustainable energy services at a reasonable cost through appropriate regulatory and market means'*⁴⁶ and the FPL's need for future, reliable and diverse sources of natural gas supplies.

The EPA recommends that the FERC's purpose and need be consistent with NEPA. According to the CEQ, the EIS is to serve as a means of assessing environmental impacts rather than justifying decisions already made. The statement of purpose and need and the resulting alternatives impacts analysis appear to be justifying decisions made prior to implementing the NEPA process. There are three reasons for this appearance: First in this 2015 DEIS, the FERC defined a purpose and need so geographically narrow it must pick the preferred alternative, or some minor variant thereof. In November of 2014, the FERC accepted a §7(c) application where the FERC's purpose and need is the subject of an enforceable contract between the FERC's applicant and FPL, signed June 26, 2013. The FERC issued a letter order on November 16, 2013, approving the applicant's narrowly defined geographic purpose contained in its November 4, 2013, request for approval to initiate the FERC's NEPA Pre-filing Process.⁴⁷ The CEQ's NEPA regulations prohibit agencies from committing resources prejudicing selection of alternatives prior to its final decision (i.e., 40 CFR 1502.2(f)). No Agency action can be taken that limits the choice of reasonable alternatives. According to the CEQ, when a lead agency becomes aware an applicant is about to take an action that would limit the choice of reasonable alternatives, the Federal agency must notify the applicant it will take strong affirmative steps to insure NEPA's objectives and procedures are fulfilled (i.e., 40 CFR Section 1506.1(b)). The CEQ's example: *"the agency might advise an applicant that if it takes such action the agency will not process its application"*.⁴⁸ Furthermore, in its status as a cooperating agency, the EPA specifically raised this issue to the FERC and referenced 40 CFR sections 1502.2(f) and 1506.1, in an email dated August 19, 2014.

FA2-12

Second, the proposed 'preferred' route is highly controversial as evidenced by numerous citizen, business, and resource agency concerns filed in the FERC's administrative record since the FERC's 2013 letter order approving the applicant's NEPA Pre-Filing Process request. In response to these concerns, the applicant has communicated to the FERC that their 'preferred' route alternative is severely constrained by precedent agreements with its main client. Specifically, the applicant will suffer damages if it cannot meet its pre-committed contractual deadlines. Deadlines committed to in June of 2013 prior to initiating the FERC's NEPA pre-filing process in November, 2013. For example, in rejecting the Florida Gas Transmission Onshore Route Alternative, the applicant stated:

"The Project's proposed scheduled in-service date is May 1, 2017. The FGT Alternative's in-service date would be in August 2018. The in-service date delay is due to several factors including a complete reengineering of the Project facilities; new stakeholder and landowner outreach; initiation of new federal, state, and local consultation; additional field surveys; additional public open houses and scoping meetings; and a rework of the current resource reports and application filings. Sabal Trail has executed precedent agreements with FPL and DEF for the majority of the Project's capacity. These customer

FA2-12 See the response to comment FA2-02 which explains that schedule-related monetary damages that an applicant and its customer may agree to are at their risk and do not enter into our alternatives analysis.

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FA2-12
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are depending upon Sabal Trail to provide incremental natural gas transmission services beginning in 2017 in order for them to meet their increasing electric generation demands. Use of the FGT Alternative as Sabal Trail's preferred route would greatly jeopardize FPL's ability to meet its power generation needs starting in early 2017 and DEF's ability to rely upon the Sabal Trail pipeline to meet its power generation needs starting in late 2017".^{xvi}

The applicant used the same rationale to reject the FERC's *Gulf of Mexico Route Alternative (MP 0.0 to MP 384.0)*^{xvii} and alternative fuel-supply alternatives.^{xviii} The EPA's concern is the FERC's acceptance of §7(c) applications from applicants having previously entered into earlier contracts narrowly defining the purpose and need with damages clauses prior to the FERC's NEPA process initiation. The EPA believes that these pre-DEIS activities will potentially be inconsistent with the NEPA requirements and will ultimately limit the choice of reasonable alternatives.

FA2-13

Third, real-estate contracts were entered into and land purchased during the FERC's scoping period to locate the proposed action's infrastructure along the FERC's three-state preferred route.^{xix} Again, the EPA recommends the purpose and need statement more closely reflect the FERC's mission as stated above.

Alternatives Analysis

FA2-14

The EPA recommends that the FERC consider the appropriate regulatory requirements in identifying an alternative in compliance with existing environmental law, including CWA § 404(b)(1) Guidelines (the Mitigation Rule), the USACE Public Interest regulations,^{xx} and the Safe Drinking Water Act's Source Water Protection Program. The alternatives analysis is the heart of the NEPA environmental impacts analysis (i.e., 40 CFR Part 1502.14). The EPA strongly encourages the FERC to select the least environmentally damaging practicable alternative (LEDPA) pursuant to the Clean Water Act (CWA) section 404(b)(1) Guidelines (and the Mitigation Rule, 40 CFR Part 230). The Mitigation Rule requires the US Army Corps of Engineers (USACE) to consider whether the proposed project represents the LEDPA. The CWA tasks EPA with oversight of USACE's CWA 404 permit decisions.^{xxi} The USACE and EPA follow the Mitigation Rule's defined process prior to the issuance of a 404 permit.^{xxii} This Rule requires a sequential, four step consideration. The first step requires the applicant to rebut the Mitigation Rule's presumption of the existence of a LEDPA (i.e., 40 CFR 230.10(a).^{xxiii}). The EPA recommends that the FERC compare each alternative's ability to address the USACE's public interest review requirements regarding wetlands. The USACE states its policy finding that "[m]ost wetlands constitute a productive and valuable public resource, the unnecessary alteration or destruction of which should be discouraged as contrary to the public interest".^{xxiv}

FA2-15

The EPA recommends that the FERC address and compare each alternative's ability to address the USACE's public interest review requirements regarding water supply and conservation. The USACE states its policy finding that "[w]ater is an essential resource, basic to human survival, economic growth, and the natural environment. Actions affecting water quantities are subject to Congressional policy as stated in section 101(g) of the Clean Water Act which provides that the authority of states to allocate water quantities shall not be superseded, abrogated, or otherwise impaired".^{xxv} The EPA recommends that the FERC avoid the identified sensitive areas of the

FA2-16

Floridan Aquifer. Because part of the project's preferred route appears to be pre-decided, the

FA2-13

See the response to comment FA2-02 which explains that land and material purchases that an applicant may make prior to the Commission rendering its decision are at the applicant's risk and do not enter into our alternatives analysis. See also the response to comment FA2-11 concerning the SMP Project purpose and need.

FA2-14

Appropriate regulatory requirements were considered by staff in the alternatives analysis. As stated in section 1.0, the USACE assisted staff as a cooperating agency during the environmental review process. Section 4.0 of the EIS details the comprehensive review of alternatives conducted for the SMP Project which included total and forested wetland impacts as one of many environmental factors considered in our evaluation of all major route alternatives and many route variations. The EIS also identifies numerous route modifications to the Applicants' original proposal primarily to avoid or reduce wetland impacts. A notable example includes the Green Swamp area of Florida, where Florida Audubon commented that "Through re-routing and mitigation, Sabal Trail has reduced overall impacts to the Green Swamp Area of Critical Concern..." and that "The Project as now designed resolves any of our prior stated concerns regarding wetlands, protected species, and mitigation" (see comment letter CO1). In addition, the USACE assisted the FERC staff in its environmental review of the SMP Project, including project alternatives. Section 1.2.2 of the EIS describes USACE authority pursuant to the CWA and RHA.

The USACE will address analysis of alternatives, wetland mitigation, and public interest review requirements as part of its review, as required under Section 10 and 404 of the Clean Water Act.

FA2-15

Our analysis of alternatives does consider the number of waterbody crossings, where applicable, for each alternative. However, we do not believe water supply and conservation significantly differentiate between any of the project alternatives because the Applicant's would use the same waterbody construction and mitigation procedures for any alternative as they would for the proposed project, and we conclude that those procedures avoid and minimize potential impacts on waterbodies to less than significant levels. Similarly and as noted in response to comment FA2-05, we conclude that construction and operation of the SMP Project would have no significant impact on the Floridan Aquifer; therefore, proximity to the Floridan Aquifer does not provide a decisive factor.

FA2-16

It is unclear what areas the EPA considers to be the sensitive areas of the Floridan Aquifer, but the EPA is referred to response to comment FA2-05.

The EPA is referred to section 3.1.2.3 which includes a detailed description of the resources, consultations, and studies used to characterize karst conditions, including site-specific geotechnical and geophysical investigations at all proposed HDD crossings and major aboveground facilities in karst sensitive areas. Our geologists and hydrologists reviewed these studies and find that they adequately characterize karst conditions in the project area.

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FA2-16 (cont'd) | EPA recommends greater use of geotechnical and geophysical investigations for the proposed route, HDD crossings, and aboveground facilities. The Federal Source Water Protection Program is a volunteer, not regulatory program to avoid placing undue financial constraints on rural and small communities. The EPA's role is to work with state and tribal agencies, non-governmental agencies, and citizen groups to encourage partnerships and provide information for carrying out source water protection actions. The Federal Source Water Protection Program includes the Sole Source Aquifer Program and Source Water Assessments, which include defining wellhead protection areas for drinking water wells.^{xvii} Additionally, the FSG has provided local governments with its SPA analysis to further assist local communities with protection of their major source of water supply. It identified a 32-county SPA area. The entire Sabal Trail Transmission pipeline crosses this SPA.

FA2-17 | The EPA recommends that the FERC evaluate and compare each alternative with respect to the number and type of pipeline crossings due to the significant implications to public safety and the Floridan Aquifer's vulnerability. As part of this analysis, the associated potential impacts should also be compared. The FERC indicates there are multiple locations where the proposed action will cross, be located in close proximity to, or parallel the Florida Gas Transmission (FGT) system. The FERC also indicates there are multiple FGT crossings of the Suwannee and Santa Fe Rivers. Given the FERC's preference for pipeline collocation, it is unclear how many of the proposed pipeline's river crossings are collocated with FGT. The FERC has identified a HDD crossing for both the Suwannee and Santa Fe Rivers but has not indicated if the proposed action will be collocated with the FGT at these crossings. The FERC indicates that the proposed action will be collocated with the Dixie liquid propane line. According to Southern Natural Gas (SNG), each proposed pipeline crossing of an existing pipeline poses a risk, both during crossing construction and during operation and maintenance of both pipelines.^{xviii} This risk is heightened by the fact that SNG's pipeline (referred to as SONAT in the DEIS) must remain in service during the proposed action's construction. Each time the applicant cuts or bores under the SNG pipeline, it increases the risk of compromising SNG's pipeline integrity. Disturbing the soil around and under SNG's pipeline during the proposed pipeline's construction creates a potential for the soil around the SNG pipeline to become de-stabilized. This can potentially lead to undue stresses on its pipeline which could result in future pipeline failure. Moreover, the creation of undue stresses on the crossed SNG pipeline segment is exacerbated when the crossing is accomplished by using the applicant's proposed, cheaper, open-cut trench method. The proposed crossings, according to SNG, complicate the cathodic-protection systems of both pipelines, increasing the difficulty to ensure both pipelines are adequately protected from corrosion. Additionally, SNG has stated in its letters to the FERC that pipeline crossings, particularly when the pipelines are running in parallel, complicate routine operation and maintenance activities such as line locating, leak surveying, and management of encroachments because the orientation of the pipelines changes from location to location.^{xix} Furthermore, the SNG recommended that crossings should be avoided wherever possible in order to avoid unnecessary and additional risk.

The EPA is concerned with the existence of Dixie Pipelines natural gas liquids (propane) and the SNG's pipelines in the vicinity of the proposed action, a municipal wellfield pumping ground water from the Floridan Aquifer that is not far from the Flint River. The EPA is concerned over whether the proposed action could lead to all three pipelines failing either during the proposed action's construction or operational lifetime. The EPA notes the causes of pipeline incidents fall

FA2-17 The number of pipeline crossings is not a meaningful factor for comparing alternatives because they are commonly completed as part of new pipeline construction and do not pose a public safety concern.

Table 2.3.2-2 (Appendix D) lists the utility crossings associated with the SMP Project. As discussed in section 2.3.2.7, the Applicants are required to comply with 49 CFR 192.325, which requires that the pipeline be installed with enough clearance from any other underground structure to allow proper maintenance and to protect against damage that might result from proximity to other structures.

In addition, as discussed in section 3.13.1, Sabal Trail has committed to work with SONAT on the design and construction methods for the proposed crossings, cathodic protection systems, and future maintenance activities. We have reviewed proposed pipeline crossings and find them sufficiently justified to minimize impacts on residences, cultural resources, and other environmental resources, and to address construction constraints.

See also the response to comments FA2-5 and FA2-27, and referenced sections of the EIS, which explain that the SMP Project would not pose a significant threat to the Floridan Aquifer.

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FA2-17 (cont'd) into several broad categories based on how the Pipeline and Hazardous Materials Safety Administration (PHMSA) collects incident data from pipeline operators. The predominant PHMSA-defined causes of pipeline failures are corrosion, material/weld failures, and excavation damage. According to the PHMSA, over 50% of the nation's pipelines were constructed in the 1950's and 1960's during the creation of the interstate pipeline network built in response to the huge demand for energy in the thriving post-World War II economy. Both SNG and Dixie Pipeline likely may have been pipeline projects constructed during that era before many of the nation's environmental protection laws were passed including FERC's NEPA responsibilities and the PHMSA's existence. Moreover, according to the PHMSA, gaps exist in its understanding of the risk associated with the nation's existing pipeline infrastructure.^{xxx} Consequently, the EPA recommends that the FERC consider selecting a route alternative for the proposed action that minimizes the number of pipeline crossings. The proposed action's right-of-way represents a future pipeline site per the FERC's right-of-way pipeline collocation policy.

FA2-18 The EPA recommends that the FERC provide a more rigorous review of its No Action alternatives analysis. The CEQ requires an agency to "*rigorously explore and objectively evaluate all reasonable alternatives*" and "*to devote substantial treatment to each alternative*" (i.e., 40 C.F.R. §1502.14(a) & (b)). The FERC does not consider the possibilities that the No Action alternative could facilitate a new mode of natural gas transmission, e.g., LNG export/import, to compete with the existing natural-gas transmission, the two existing pipeline systems: Florida Gas Transmission's pipelines and the Gulfstream Pipeline. TRANSCO is upgrading its mainline in order to ship Marcellus Shale-sourced gas to the Gulf Coast where LNG facilities are upgrading their capacities to export this natural gas overseas to markets where natural gas can sell at higher prices. The FERC has recently approved five (5) Gulf Coast LNG Export terminals.^{xxx} Reportedly, four (4) facilities are under construction. And 16 more are proposed for the Gulf Coast.^{xxx} Furthermore, in Florida off its west coast, the Pt. Dolphin LNG Import project has already secured approval from the applicable Federal agencies, including FERC, and the conversion has been vetted through the NEPA process. The FERC has not clearly made the case for the transmission of natural gas by pipeline being superior to transport by LNG vessels.

The LNG Import/Export mode of natural gas transmission can also meet FPL's request for reliable, cost competitive natural gas. Unlike the proposed action, the LNG alternative also meets FPL's request for a natural gas transmission system geographically separate from the existing natural gas transmission lines currently serving Florida. Because the proposed action proposes to collocate with existing natural-gas transmission lines, it cannot be considered geographically separate.

FA2-19 In the DEIS No Action analysis, the FERC also appears to assume the only source of natural gas available to FPL is a connection point to TRANSCO's mainline in Alabama. The LNG alternative gives FPL access to foreign natural gas supplies. These supplies can compete with US mainland-sourced natural gas supplies. Contrary to the FERC's conclusion, the No Action alternative does not guarantee FPL cannot obtain reliable and diverse natural gas supplies. Moreover, the No Action alternative may realize less impacts to CWA-protected waters, wetlands-protection conservation easements, the proposed SDWA sole-source aquifer designate – the Floridan Aquifer, the FGS's SPA, public's source waters, and environmental justice (EJ)

FA2-18 Section 4.1 of the EIS has been amended to clarify the USACE approach to considering the no-action alternative and to reference alternative modes of transportation that are evaluated as system alternatives in section 4.2 of the EIS. As discussed, we determined that no system alternatives are preferable to the proposed action.

In addition, on September 25, 2015, Port Dolphin Energy, LLC notified the FERC that it has abandoned its plans for a deepwater LNG import terminal off of Tampa Bay, Florida, having failed to negotiate commercial contracts for the facility and noting that, since inception of the project, the United States has become an exporter of natural gas. Section 4.2.3 of the EIS has been revised to reflect cancellation of the Port Dolphin project.

FA2-19 See response to comment FA2-18. LNG import is not a practical alternative for meeting the SMP Project purpose and need.

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- FA2-19 | communities. Furthermore, the No Action alternative may realize both the FERC's mission and the FPL's need for future, reliable and diverse sources of natural gas supplies. (cont'd)
- FA2-20 | The EPA recommends that the FERC provide its economic analysis used to support its dismissal of this alternative as '*economically impractical*'. The CEQ regulations at 40 C.F.R. §1502.24 require agencies, "*to identify any methodologies used and ... make explicit reference by footnote to the scientific and other sources relied upon for conclusions in the statement*" (EIS). The FERC states in the DEIS: "*...we do not consider the cost of an alternative as a critical factor unless the added cost to design, permit, and construct the alternative would render the project economically impractical*". Both the FERC's terms *cost* and *economically impracticable* suggest a quantitative analysis determined the cost and evaluated the economic practicability. The EPA recommends that the FERC provide its quantitative analysis to support its conclusion: "*the cost of constructing two LNG terminals, operating LNG ship carriers, and constructing the necessary natural gas pipeline, would make this system economically impractical*".
- FA2-21 | The EPA recommends that the FERC provide a more rigorous review of its LNG Import alternative consistent with 40 C.F.R. §§1502.14(a) & (b) as discussed above in the '*No Action Alternative*' comments. The EPA recommends that the FERC explain this alternative's economic impracticability in context of its recent LNG export terminal approvals and their construction, and the information provided to the FERC by Port Dolphin Energy LLC. According to the FERC, four of the five Gulf Coast LNG Export terminals it has approved are currently under construction and it anticipates the approval of 16 more for the Gulf Coast.^{xxxx} In Port Dolphin Energy LLC's Request (October 17, 2014) to Extend FERC Certificate and Project In-Service Date, it stated that the cost of constructing Port Dolphin would be less than a major new pipeline system from the northern part of Florida to the central and southern parts of the State. Port Dolphin Energy also indicated it can add significant storage facility/capacity, which the proposed action does not and which the State lacks. It stated it can provide *invaluable supply flexibility*, a benefit to Florida consumers. It also stated it can meet the State of Florida's increasing need for additional gas supply by providing natural gas from the same mainland sources that the proposed action proposes to access. Port Dolphin Energy indicates an added benefit to its LNG facility is its ability to provide FPL access to international natural gas resources. It offers a new source of gas transportation to compete with existing pipelines. Lastly, this facility has already been vetted through a joint agency (the FERC and United States Maritime Administration) NEPA process and received these agencies' approval. Consequently, the FERC should clearly explain why it considers this alternative to be economically impractical. According to the CEQ, NEPA was enacted to promote efforts to prevent or eliminate damage to the human environment.^{xxxxii} (i.e., 42 U.S.C. §4321). This LNG Import Alternative would prevent the environmental impacts associated with the proposed action, particularly the karst sensitive areas of the Floridan Aquifer System in southwest Georgia and northcentral Florida.
- FA2-22 | The EPA recommends that the FERC appropriately characterize environmental impacts to lands, forests, and wetlands. The FERC currently uses a potentially meaningless evaluation of acres impacts for comparing the alternatives. The FERC states it includes acreages impacts in its factors determinative of whether an alternative is preferable to the proposed action. However, the FERC does not differentiate the type of land, forests, and wetlands acres being impacted. For example, the FERC describes the FGT Onshore Route Alternative as requiring an additional

- FA2-20 | See response to comment FA2-18. LNG import is not a practical alternative for meeting the SMP Project purpose and need and section 4.2 of the EIS has been amended to reference typical costs of LNG projects.
- FA2-21 | See response to comment FA2-18. LNG import is not a practical alternative for meeting the SMP Project purpose and need.
- FA2-22 | As noted in section 4.0 of the EIS, we initially use desktop information to ensure comparative data between alternatives and because more detailed information such as field surveys is not generally available due to the scale of the alternatives. However, the Commission can obtain more detailed data if needed to inform its analysis. Further, based on our analysis of impacts in section 3.0 of the EIS, we believe that impacts on wetlands, forests, and other resources would be generally analogous for all alternatives (e.g., clearing and trenching would impact wetlands on an alternative route in a similar way to wetlands on the proposed route), and, therefore, acreage of impacts is an appropriate unit of comparison. We have differentiated the types of land impacted such as forests, forested wetlands, other wetlands, and recreational and special interest areas. We believe our analysis provides a meaningful comparison of alternatives, and, where applicable, discuss meaningful differences that exist.

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FA2-22 (cont'd) 1,024.3 acres of land for construction and affecting 386.7 more acres of forest and 521.9 more acres of wetland than the proposed route. The FERC does not differentiate real estate or timber lands from lands and wetlands that may have special protected designations or recreational value. The applicant identified the FGT alternative to cross the Robert Brent Wildlife Management Area (WMA) in Liberty County. However, this WMA no longer exists because the land owner, a real estate/land development company, St. Joe Corp., withdrew its land out of the State's WMA system for financial reasons. Similarly, the applicant identified the FGT alternative as crossing the San Pedro Bay Area, FL, containing numerous wetlands, extreme saturated soil conditions, and limited upland areas. This area coincides with the former 17,872-acre San Pedro Bay WMA, which no longer exists because Foley Timber and Land Company withdrew its lands from the State's WMA system. The EPA strongly recommends that the FERC require the development of a comparative metric to make this a meaningful metric in its alternatives analysis.

FA2-23 The EPA recommends that the FERC appropriately characterize environmental impacts to EJ communities. The FERC has not clearly identified its EJ metrics. Continuing with the FGT alternative as an example, the FERC indicates this alternative crosses 65.0 miles more of areas classified as EJ communities. The FERC does not define its term *classified as environmental justice communities* in demographic terms to sufficiently compare EJ impacts. Moreover, '*miles of EJ communities*' is not a particularly informative metric for EJ impacts. Direct and indirect impacts to EJ communities' drinking water supplies, residences, neighborhoods, infrastructure, etc., is a meaningful and informative metric. The FERC states in the DEIS that it includes *miles of EJ communities* in its factors determinative of whether an alternative is preferable to the proposed action. The EPA strongly recommends that the FERC develop a comparative metric to make this a meaningful metric in its alternatives analysis. The affected EJ community in Dougherty County has clearly identified for the FERC the potential impacts to them associated by the proposed project. However, the FERC has not clearly defined environmental justice impacts for the alternatives evaluated, including the rest of the proposed action. The FERC should provide a copy of its EJ-analysis results to support its alternatives conclusions. Executive Order 12898 directs all Federal agencies to identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations, to the greatest extent practicable and permitted by law.^{xxxv} The order also directs each agency to develop a strategy for implementing environmental justice. The order is intended to promote nondiscrimination in Federal programs that affect human health and the environment and provide minority and low-income communities' access to public information and public participation. In its EJ analysis, the FERC should determine the extent of collocation impacts on identified EJ populations. All of the FERC's pipeline projects are designed to be collocated with existing pipelines and utility rights-of-way to the greatest extent practical. However, the FERC does not identify the extent EJ populations are burdened with multiple pipelines, increasing their potential exposure risk. There may be cases where the collocation of natural gas pipelines with existing rights-of-way may maximize impacts to both the EJ populations and sensitive environments.

FA2-24 The EPA recommends that the FERC appropriately characterize environmental impacts to karst features. Continuing with the FGT alternative as an example, the FERC indicates this alternative crosses 57.9 miles more of karst features. The FERC states it includes '*miles of karst features*' crossings in its factors determinative of whether an alternative is preferable to the proposed

FA2-23 Section 3.10.4 of the EIS details our analysis of potential impacts on environmental justice populations, including potential direct and indirect effects. To clarify the basis for our comparative analysis, we have added a footnote into the tables in section 4.0 to reference to resource specific discussions in section 3.0.

We believe that the metric of "Miles of EJ Communities Crossed" is sufficiently informative for the purpose of comparing alternatives considering that most project impacts are related to the length and location of the facilities relative to resources and our conclusion that limited impacts of the SMP Project would not have a disproportionately high and adverse impact on EJ communities.

Collocation of linear infrastructure is a common practice as it generally reduces overall environmental impacts on a community. As discussed in the EIS, the SMP Project would comply with applicable air and noise regulations and would not pose a significant risk to groundwater resources or public safety.

FA2-24 Section 4.0 of the EIS describes the process undertaken to compare alternatives and explains that the level of detail considered progresses until it becomes clear whether or not an alternative satisfies the evaluation criteria. As detailed in the EIS and summarized in response to comments FA2-05 and FA2-16, we conclude that construction and operation of the SMP Project would not result in significant impacts on geologic features or groundwater resources, or pose a significant public safety hazard in karst areas. However, we have quantified differences between routes in terms of "miles of karst areas crossed" and believe that unit of measure provides sufficient detail in comparing alternatives.

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FA2-24 (cont'd) | action. 'Karst features' as used in the DEIS appears to be a meaningless metric. There are insignificance and significant karst features, and protected karst features, e.g., FGS' SPA. The EPA recommends that the FERC develop a comparative metric to make this a meaningful metric in its alternatives analysis. For clarification purposes, the EPA has repeatedly expressed concern for impacts to the Floridan Aquifer, a source water for community and private water supplies and surface-water bodies, particularly in drought periods, contained within vulnerable karst terrain. The EPA has not expressed concern for the number of karst features impacted. The FERC's *miles of karst features* does not capture the potential magnitude and intensity of impacts to the Floridan Aquifer.

FA2-25 | The EPA recommends that the FERC appropriately characterize environmental impacts to special interest or recreational areas and develop a meaningful metric that can be applied to alternatives as part of the FERC comparative alternatives analysis. Continuing with the FGT alternative as an example, the FERC indicates this alternative crosses *115.4 miles more of special interest or recreational areas*. The FERC states it includes miles of *special interest or recreational areas* crossings in its factors determinative of whether an alternative is preferable to the proposed action. The EPA recommends that the FERC develop a comparative metric to make this a meaningful metric in its alternatives analysis.

Environmental Impacts

FA2-26 | The EPA recommends that the FERC have a karst risk assessment be prepared by an independent party with no financial interest in its outcome for the proposed route located within the Dougherty Plain, Cody Escarpment, and the Florida Geological Survey (FGS)-identified Florida Springs Protection Areas (SPAs).^{xxxx} As acknowledged by the FERC, the Dougherty Plain and the Cody Scarp are the most sensitive areas in Florida and Georgia the proposed route traverses. The EPA further recommends this karst risk assessment be subjected to appropriate peer review by the relevant Federal and state geological surveys, and include the Suwannee Water Management District. The EPA is concerned that the FERC's risk assessment is insufficiently rigorous given the significance of the Floridan Aquifer and the FGS-identified SPAs. This significance is evidenced by the EPA's receipt of an emergency petition to designate the entire Floridan Aquifer as a Sole Source Aquifer pursuant to the Federal Safe Drinking Water Act.^{xxxxv} The FGS-identified SPAs define areas where groundwater is the sole source of drinking water and the source of spring discharge for the area.

FA2-27 | The FERC's sinkhole risk assessment is based upon *known* historical occurrence of sinkholes and the results of limited geotechnical and geophysical assessments. It assesses the relative risk for sinkhole development. The FERC defined a *low risk* setting as where historical occurrences may have been reported or documented, but it is unlikely for a sinkhole to develop at the site of the proposed action. The FERC defined a *medium risk* setting based on whether historical occurrences of sinkholes are well documented in the area and conditions favorable to sinkhole development are believed to be present. And the FERC defined a *high risk* setting where historical occurrences are common and frequent and conditions favorable to development are present and well documented. The FERC's risk assessment as presented in the DEIS assumes some entity has investigated, researched, and documented all karst features within the study area. The EPA does not believe that this assumption is invalid as explained below. Moreover, the

FA2-25

Our comparison of potential impacts on recreational and special interest areas in Section 4.0 presumed that the reader had read section 3.9.2.5 of the EIS, where these areas are described and potential direct and indirect effects are discussed. To clarify the basis for our comparative analysis, we have added a footnote into the tables in section 4.0 to reference to resource specific discussions in section 3.0.

FA2-26

As an independent Commission designated by Congress under EPLA 2005 as the lead federal agency for review of interstate natural gas pipelines, the FERC is an entirely independent reviewer of the possible impacts on karst. As a federal commission, the FERC has no financial interest in the SMP Project.

Refer to sections 1.2.1 and 1.2.3 of the EIS which recognize the substantial consultation between the FERC and federal, state, and local environmental agencies throughout the NEPA review process, including with the state geologic offices in Florida and Georgia and the water management districts in Florida.

See response to comment FA2-5 regarding EPA's comment about a petition to designate the Floridan Aquifer as a sole source aquifer.

FA2-27

EPA comments FA2-27 through FA2-39 and other comments generally question the adequacy of analysis conducted by FERC staff to characterize the geology and groundwater resources in karst sensitive areas, and whether the analysis sufficiently supports conclusion regarding environmental impacts and safety risks associated with locating the project in karst areas.

The EIS includes a detailed and comprehensive analysis of karst geology and hydrology, and thoroughly explains the basis of FERC staff conclusions. Section 3.1.2.3 devotes 10 pages describing karst conditions in the SMP Project area from a range of sources including previous literature; project-specific desktop analysis; site-specific studies including geotechnical and geophysical investigations; field inspections by FERC staff; input from the FGS, State Geologist of Georgia, Florida water management districts, and the public; and input from PHMSA and the Georgia and Florida Public Service Commissions regarding pipeline safety in karst areas. The EIS describes the types and number of karst features present in the project area and various mechanisms that can trigger sinkhole activity, as well as the relative risk of karst activity based on existing conditions and the historical occurrence of karst features in the area. Section 3.1.2.3 also explains the project-specific construction, mitigation, and monitoring measures that the Applicants would implement to safely construct and operate the proposed facilities in karst areas. As explained in the EIS, karst geology and water resources are closely interconnected in the region. Section 3.3.1 of the EIS devotes 19 pages largely to recognize the Floridan Aquifer System (FAS) as an important regional water resource, as a source of residential and public drinking

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water supply, and the source of numerous large and important springs in the region, and describe the hydrology of the aquifer. Section 3.3.1 includes a detailed description of how construction and operation of the SMP Project could impact the FAS and the project-specific construction, monitoring, and mitigation measures that the Applicants would implement to avoid or reduce impacts to less than significant levels. The EIS also includes, either as an appendix or by reference, the detailed investigations, construction plans, and monitoring and mitigation measures conducted and/or prepared by the Applicants. Furthermore, the FERC docket documents the extensive questioning by the FERC staff of the Applicants regarding karst geology and water resources, as well as the Applicants' replies.

FERC's team of karst geologist and hydrologists independently evaluated the information concerning karst geology and hydrology and concluded that, collectively, the information is sufficient to adequately characterize karst and water resources. The EIS details the reasons for our conclusions that, if the SMP Project is constructed and operated in accordance with PHMSA regulations and project-specific construction, monitoring, and mitigation plans, as well as FERC staff recommendations, the project would not result in significant impacts on karst features or water resources, or represent a significant risk to public safety. As detailed throughout the EIS, the primary reasons for these conclusions are:

1. Over 98 percent of the proposed pipeline would be installed in a shallow trench, which could result in localized, temporary impacts but would not pose a significant, long term risk to water resources. The Applicants would implement commonly used methods in Georgia and Florida to mitigate karst features that may be encountered during trench construction, as well as project-specific water management plans to avoid and minimize the potential to initiate sinkhole activity in and near the construction workspace.
2. The remainder of the pipeline facilities would be installed using the HDD method. Of the 26 proposed HDDs, only 5 HDDs proposed by Sabal Trail would encounter limestone bedrock in karst sensitive areas; as such, the EIS appropriately focused on these 5 HDD locations. Detailed site-specific geotechnical and geophysical studies were completed to characterize karst geology at these 5 locations; springs were identified within 1 mile of these crossings; and wells were identified within at least 2,000 feet of these crossings. None of the proposed HDDs occur in public wellhead protection areas or in proximity to major 1st or 2nd magnitude springs; only two 4th magnitude springs were identified within 0.5 mile of any of the proposed HDD installations, one of which is upgradient from the proposed HDD. The EIS discloses the potential impacts that could occur on groundwater and surface water resources in proximity to HDDs and explains that the greatest impact would be increased turbidity associated with a loss of drilling mud in the FAS and

FA2-27
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nearby wells, surface waters, and springs. The EIS explains that drilling mud is commonly used in the installation of drinking water wells and is composed primarily of water and bentonite, a naturally occurring clay mineral. The EIS further explains that increased turbidity due to the loss of drilling mud would be temporary and would diminish with time and distance from the point of loss, and details the specific methods that Sabal Trail would implement to avoid or minimize drilling mud loss and to monitor for and mitigate impacts on water resources in the event of a drilling mud loss. The EIS also explains that pipeline segments installed by the HDD method would not have a significant impact on the flow regime or rates within the FAS or associated surface waters and springs. The FAS is of tremendous magnitude and extent, underlying an area of about 100,000 square miles in southern Alabama, southeastern Georgia, southern South Carolina, and all of Florida. As an indication of its productivity, about 4 billion gallons of water was withdrawn from the FAS and an additional 8 billion gallons of water discharged from springs each day in 2000. Thus, it is highly unlikely that a 7-foot-deep trench would affect the aquifer or drinking water wells that are typically much deeper.

3. As described in section 3.3.2.4 of the EIS, the SMP Project would convey natural gas, not a liquid product. Natural gas is a naturally occurring material comprised primarily of methane. In the very unlikely event of an underground release from the pipeline facilities, the gas would migrate to the surface and dissipate into the atmosphere and not contaminate subsurface media.
4. We reviewed interstate transmission pipeline accident data and contacted PHMSA and the pipeline safety coordinators within the public service commissions of Georgia and Florida and determined that many miles of interstate transmission pipeline have operated in karst areas of Florida and Georgia for decades without significant safety incident. The Applicants also provided engineering estimates of between 50 and 140 feet that the proposed pipeline facilities could span unsupported, which would further reduce potential hazards under most sinkhole scenarios. The EIS further documents that the pipeline and aboveground facilities would be designed in accordance with modern construction standards, including building foundations, and PHMSA safety and material regulations. Lastly, the Applicants would visually monitor for signs of subsidence that could impact the facilities during operation, and would take appropriate steps to mitigate any subsidence that develops.

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- FA2-27 (cont'd) FERC does not define *relative risk*. It does not inform how relative risk is meaningful to an environmental impacts analysis to the Floridan Aquifer or any of the rivers impacted by the proposed action.
- The EPA is concerned over the scientific basis for the FERC's sinkhole risk assessment. The FERC has not clearly demonstrated how it, or its applicant, can predict the unlikelihood for sinkhole development in an area recognized as vulnerable to sinkhole development. Because of its geomorphology and high precipitation, sinkhole activity in Florida is pervasive and nearly random.^{xxxxvii} The FERC may elect to defer to its applicant's experience and best professional judgement. However, this experience and judgement appears inconsistent with a third party that has independent expertise. The Florida Division of Emergency Management ranked Hamilton, Suwannee, and Gilchrist counties with high sinkhole hazard rankings.^{xxxxviii} And the FGS has determined there are many unresolved scientific questions regarding sinkholes, such as where do sinkholes occur? How can they be predicted? What are their triggers? Is there a correlation between hydrologic conditions and sinkhole occurrences? What technologies or tools are available to begin to address these concerns?^{xxxxix} Moreover, sinkholes may occur catastrophically and instantaneously, or on a sustained basis as in imperceptibly overnight, over weeks, a season, over years, or over dozens of years. Furthermore, the FERC acknowledges in the DEIS that karst features could be initiated by the physical disturbance associated with trenching, grading, or HDD activity; or by diverting or discharging project-related water into otherwise stable karst features. According to FSG, instances of subsurface solution activity cannot be quantified with some threshold of depth, distance, and magnitude in order to qualify as a possible source of distress at the surface.^l If FSG cannot answer these questions or quantify subsurface solution activity, the EPA questions the FERC's and applicant's ability to do a sinkhole risk assessment to inform the proposed route alternatives and identify environmental impacts and mitigation.
- FA2-28 According to the FERC, karst features within 0.25 mile of the Sabal Trail Project were identified using aerial photographs, topographic maps, potentiometric surface and water table maps, light detecting and ranging data (LiDAR), field surveys, various resources depicting mapped cave systems, and publicly available databases from state and local agencies. The FERC has not demonstrated the appropriateness of limiting the karst assessment to within 0.25 miles of the proposed action. The aerial photography was limited to the major fracture trace analysis. The tree cover and other land uses depicted in the aerial photography may limit the value of this aerial photography. The FERC does not specify in the DEIS where and why the light detecting and ranging data (LiDAR) was done.
- FA2-29 Regarding publicly available databases from state and local agencies, the FERC acknowledges that the State of Georgia has not developed a closed depressional feature data base using topographic elevation data to identify potential sinkhole features, which Florida has done. Spring and springshed location databases do not currently exist for Georgia. Data pertaining to the location and magnitude of springs and the extent of their springsheds is minimal. Georgia has not mapped the locations of existing sinkholes in the State. The FERC has made no claim to field work that maps all existing sinkholes along the pipeline route within either State. Instead, the FERC used 'Topo map's to identify karst features suggestive of karst activity in the vicinity of a predetermined route. In Georgia, the available topographic maps may be dated 1956 and 1973,

FA2-28

See response to comment FA2-27. The EIS has been revised to explain that, based on the limited construction footprint and karst triggering mechanisms, identification of karst features within 0.25 of the pipeline route adequately characterizes geologic conditions for the purposes of construction and mitigation planning. We also note that karst features including fracture traces, springs, and caves were identified within at 1 mile of the HDDs proposed in karst sensitive areas.

FA2-29

See response to comment FA2-27.

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- FA2-29 (cont'd) and photographically revised in 1988. This is very old data and cannot be lied upon to make a proper assessment.
- For Florida, the FERC supplements these topographic maps with FSG's data of known closed topographic depressions, sinkholes, and springs. As the FERC is aware, the existence of known closed topographic depressions, sinkholes, and springs does not preclude the existence of the unknown that may have a nexus with the documented features or the proposed route. Moreover, the FGS has a disclaimer regarding the use of its location data of known and mapped karst features. The FGS states: "*Geographic Information Systems (GIS) data and maps produced by the Florida Geological Survey (FGS) ... are provided solely as a general reference for state geologic features, are not warranted for any other use or purpose, and are not intended to replace site-specific or use-specific investigations*".²⁸ The applicant's investigations are triggered by the known features on dated maps and public data provided with general reference limitations. The applicant has not indicated any field investigations to determine any previously unknown but potentially significant karst features along the entirety of the proposed route. The applicant is using FSG's information to develop a sinkhole risk assessment to target site-specific investigations.
- FA2-30 The EPA recommends that the FERC's pipeline siting be informed by informed by the appropriate information. The number of identified karst features requiring further investigation is remarkably low considering most of the proposed action crosses the Floridan Aquifer and its vulnerable karst areas. For example, the applicant identified 235 potential sinkholes and 17 fracture traces over a 126 mile segment within the proposed route corridor through the Dougherty Plain in southwest Georgia. Only two areas were subject to geophysical and geotechnical investigation. One area is a closed circular depression identified just west of the proposed route (Milepost 148.7). Because the geophysical/geotechnical results were still pending at the time of the DEIS issuance, its risk ranking is pending. The other is where the proposed route parallels the Albany Municipal Well field where sinkholes have been documented (Milepost 159.8 - 161.3).
- FA2-31 The applicant-defined the *karst sensitive areas* in Florida as a 32.2 mile segment (Mile Posts 244.7 – 276.9) of the proposed Sabal Trail Transmission route. The EPA believes that a larger segment pipeline may actually cross Florida's most karst sensitive areas. Within the corridor of this 32.2 mile segment, the applicant identified approximately 268 closed depressional features (potential sinkholes), presumably by topographic maps and FGS's GIS data of known features/incidences. Only one of these 268 features were subject to geophysical and geotechnical investigation. This feature is a closed circular depression identified west of the proposed alignment (Milepost 260.5) in an existing power line easement in Hamilton County. The geophysical investigation identified two anomalies and the geotechnical investigation results were not available for the DEIS. Of the 3,750 karst and potential karst features, including 29 fracture traces, over the entire proposed Sabal Trail Transmission pipeline within Florida, only 9 areas were subject to geophysical and geotechnical investigation. Of the 650 karst and potential karst features identified over the 126-mile Florida Southeast Connector proposed route (MP 0 – 126.3), none were subject to geophysical and geotechnical investigation. Moreover, none of these features appear to have been evaluated by the applicant's sink-hole risk assessment.

FA2-30

See response to comment FA2-27 and section 3.1.2.3 which explain that the detailed geologic studies conducted sufficiently characterize karst conditions in the project area. Section 3.1.2.3 of the EIS notes the development of sinkholes within the City of Albany wellfield.

FA2-31

See response to comment FA2-27 and section 3.1.2.3 which explain that the detailed geologic studies conducted sufficiently characterize karst conditions in the project area, including for the FSC Project. We also clarify for the EPA that the originally proposed route of the Sabal Trail Mainline through Gilchrist County, as depicted in Sabal Trail's request to utilize the FERC Pre-filing Process, was subsequently modified to cross the Santa Fe River at the same location where the existing FGT pipeline was successfully installed by HDD beneath the river, and then crossing diagonally through the Waccasassa Flats, an area in central Gilchrist County with increased cover over the FAS.

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- FA2-31 (cont'd) | A questionable sinkhole risk assessment was used to identify karst features needing further investigation to inform pipeline design and construction to minimize impacts to the proposed action. It was not used to identify and avoid and/or minimize environmental impacts. In Gilchrist County (Milepost 335.3) several small circular depressions, approximately 10- 15 ft. in diameter, were identified in the vicinity of the proposed alignment. The geophysical investigation identified three anomalies. The geotechnical investigation found zones of soft limestone material where loss of drilling fluid was observed at or near the limestone interface. This was noted as a common occurrence in North Florida: *"The relative density of the upper sands generally increased with depth and at least 10-15 feet of clay materials were encountered above the limestone formation which, was stated, **reduces the potential for sinkhole development**".* This finding is in stark contrast to the DEIS Appendix H's statement: *"The large sizes of sinkholes in the Cody Scarp are a result of thick cover over the limestone".* Moreover, Gilchrist County was ranked by the Florida Division of Emergency Management with a high sinkhole hazard ranking. Sinkhole mitigation was determined by the FERC to be unnecessary and the pipeline route was not changed despite contradictory information.
- FA2-32 | The EPA recommends that the FERC discuss the potential environmental impacts associated with remediation of sinkhole risks associated with the proposed action's construction. This should be done after a closer scrutiny of the proposed route for karst features that does not rely on outdated maps and State databases. The FERC should identify the frequency and intensity of the sinkhole risk remediation needed for the pipeline's integrity and select a route that avoids and or minimizes needed sinkhole remediation activities.
- FA2-33 | The proposed route parallels the Albany Municipal Well field where sinkholes have been documented. According to the applicant, *"the overall area is believed to have a medium or moderate [sinkhole] risk based on the adjacent land use [the well field pumping]. In [the] unlikely event, sinkhole occurs on pipeline route, the area should be stabilized by backfilling. ... The City of Albany should be solicited regarding proposed remediation methods due to the potential for negatively impacting the production of the well-field from such methods as grouting".* Consequently, the sinkhole risk to the pipeline is presented in the DEIS as being acceptable. The population dependent upon the affect water supply bears the impact risk and the expense of remediation should the *unlikely* sinkhole occur and not the FERC's applicant.
- FA2-34 | In Levy County, a line of several small circular depressions, generally 3 to 4 feet in diameter and 2 to 3 feet in depth, were identified in vicinity of pipeline (Milepost 363.8). The geophysical investigation identified three anomalies. The geotechnical investigation observed losses of drilling fluid at limestone interface in borings at central and northern anomalous areas. This area was ranked as a *high sinkhole* risk, but due to the depth, type and relatively small diameter of sinkholes did not pose a threat to pipeline, **if remediated**. *"Depressions that have occurred or that may occur should be backfilled with compacted sand. Compaction grouting could be conducted in area of pipeline to further reduce sinkhole potential".* In Lake County, a circular depression was identified on the proposed alignment along with ponds located north and south. The geophysical investigation identified an anomaly. The geotechnical investigation observed 75 feet of very soft or very loose soil conditions including weight of rod were encountered. Significant losses of drilling fluid were noted throughout completion of the boring including a complete loss of drilling fluids at a depth of approximately 102 feet. The open trenching

- FA2-32 | See response to comment FA2-27. The potential for karst mitigation materials to impact the FAS is discussed in section 3.3.1.7 of the EIS.
- FA2-33 | See response to comment FA2-27. The EIS discloses that the Sabal Trail Mainline would be installed in unconsolidated material by shallow trenching 350 to 450 feet from wells within the Albany well field and explains that this construction method does not pose a significant risk to the well field or underlying aquifer. The City of Albany elected to site the well field on land crossed by two other, older pipelines, and did not report any well or water quality issues with the existing pipelines in its comments to the Commission. In addition, the depth of the trench in this area would be well above the bottom of the wells, and is therefore not likely to have any effect.
- FA2-34 | See response to comment FA2-27. The Applicants indicated that the proposed pipelines could span 50 to 140 feet unsupported, further reducing the potential for a serious pipeline incident under most sinkhole development scenarios.

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FA2-34 (cont'd) | construction was not expected to trigger sinkhole development. However, it was recommended that storm water and dewatering discharge be diverted from the area during construction activities and hydraulic testing not be performed within this portion of the pipeline. If potential changes in hydraulic stresses are anticipated, the area may be stabilized by compaction grouting. The EPA believes that this a reactive form of planning and does not fully address the need to avoid and minimize potential impacts in environmentally sensitive areas. A pipeline rupture from a sudden sinkhole event in this areas will disrupt the 'reliable' flow of natural gas potentially result in a catastrophic incident before remediation activities can be initiated.

FA2-35 | The EPA recommends that geotechnical and geophysical investigations be used to inform the siting alternatives decisions for the pipeline, HDD crossings of waterbodies, the compressor and metering/regulating station locations, etc. Instead, these investigations were conducted to determine potential impacts to the proposed action at preselected sites. For example, the preferred Albany Compressor Station site, west of Newton Road, was eliminated from consideration and it was relocated to site J because the preliminary geotechnical study noted solution activity indicators and the potential for sinkhole development.^{xiv} However site J is still in an active karst area. Moreover, geophysical/geotechnical investigations were not used to select site J. For all of the compressor stations and metering/regulating facilities, the conceptual plan with the location of the facility footprint was first identified and then given to consultants to perform a geotechnical/geophysical study. However, as noted in a karst assessment for a Superfund remedial site investigation: "*A geotechnical karst investigation (i.e. identification of cavities, fractures and collapse zones) is undoubtedly one of the most difficult subsurface investigations: a real needle in the haystack problem*".^{xiv} Given the potential impacts to the Floridan Aquifer and communities and aquatic ecosystems dependent upon it, the geophysical/geotechnical work acquired is preliminary [at best] and did not inform the siting of the proposed action.

FA2-36 | The EPA recommends that the FERC address compressor station vibration induced impacts to zones of fractures in the underlying limestone. The continuous vibration effects could be expected to aggravate ongoing chemical and physical weathering of all underlying karst conduits. Sinkhole formation can be triggered by construction activities such as ground vibrations from heavy equipment.^{xiv} The proposed compressor stations are expected to vibrate continuously for the project life. Sinkholes can occur in the beds of streams, sometimes taking all of the stream's flow, creating a disappearing stream.^{xiv} As the FERC has noted, the Flint River, where a HDD crossing is proposed, most of the springs reported to discharge to the Flint River are within the river bed and are unmapped and may be impacted by the proposed HDD crossing.

FA2-37 | The EPA recommends that the FERC address the potential environmental impacts associated with HDD-induced karst collapse under major rivers. According to the FERC, "[z]ones of fracture concentration in soluble rocks such as limestone can lead to enhanced dissolution due to accelerated chemical and physical weathering. In the case of rocks prone to karstification, the development of karst conduits begins when fracture apertures reach about 1 cm". The FERC proposes conduits to be drilled under major rivers to install a 36-inch natural gas pipeline/conduit. According to the FERC, five of the applicant's proposed HDDs will encounter carbonate bedrock. The FERC has determined the HDD drilling process is feasible even if voids 15 feet or less are encountered. According to the FERC, if larger voids are encountered, which

FA2-35 | See response to comment FA2-27. Site-specific geotechnical and geophysical information was obtained for alternatives that were more closely considered for the Albany Compressor Station as well as the Sabal Trail Mainline crossing of the Suwannee River. The level of information regarding karst conditions and other factors in the alternatives analysis is sufficient to determine whether the alternative could or could not meet the evaluation criteria.

FA2-36 | As stated in section 3.1.2.3, large vibrations would not be anticipated to be transferred to the subsurface and would be absorbed by the compressor building foundations. In addition, the proposed compressor buildings would be centrally located on larger parcels owned by the Applicants and would be set back from the nearest structures by at least 1,200 feet. We conclude that the risk of vibrations from the compressors to initiate sinkholes that would damage other structures is very low.

FA2-37 | See response to comment FA2-27. Sections 2.3.2.1 and 3.1.2.3 of the EIS describe the HDD construction method and summarize the measures that the Applicants would implement to avoid or minimize drilling mud loss; appendix E includes the detailed, project-specific HDD drilling and contingency plans prepared by the Applicants. These plans sufficiently describe the subsurface conditions encountered along the HDD drill paths; how the HDD installations would be accomplished to avoid or reduce potential impacts on karst features and related water resources to less than significant levels; the monitoring of wells and springs before, during and, if necessary, after drilling operations; and in the event HDD cannot be successfully installed, several waterbody crossing options. Due to the existing high degree of karst and interconnectivity of the FAS at the proposed HDDs, karst features that could develop in conjunction with the project would not have a significant impact on surface water or groundwater hydrology.

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will prevent the successful completion of the HDD, the applicant will modify its drill path slightly in an effort to avoid it. According to the FERC, the HDD process uses drilling fluids to facilitate many of the HDD operations. Drilling fluid is a slurry composed of water and bentonite clay, which is intended to maintain the hole's stability, lubricate the drilling head, remove cuttings and reduce soil friction. The FERC has not explained how this works for voids 15 feet or less, or larger, or what the associated impacts are to the bedrock or water quality. Moreover, the FERC proposes that when a loss of drilling mud circulation occurs, **where practical**, a member of the field crew will visually inspect the ground surface near the position of the cutting head. However, the cutting head may be 20 plus feet below the ground. The FERC indicates surface waters, wells, and mapped springs within 2,000 feet of the HDD site will also be visually inspected. The FERC has not indicated how fast the groundwater may move to the surface waters being monitored. It is feasible for a significant amount of drilling fluid to be lost before it shows up, days, weeks, or months later after the HDD installation has been completed. The DEIS does not fully address the Floridan Aquifer's characteristics and the complexity of its groundwater flow.

The DEIS also states FGT's 36-inch natural gas pipeline has been successfully installed via HDD in karst areas in Florida, including FGT's prior crossing of the Suwannee River at the same location as proposed by its applicant. The EPA fully comprehends this issue and found documented HDD-induced sinkhole formation associated with the construction of FGT's 36-inch natural gas pipeline within the Land O' Lakes Karst Plain in Florida.⁴⁸ Here, three sinkholes ranging from approximately 5 to 25 feet in diameter and several feet deep developed along the drill path during HDD-related activities. The borehole was completed using HDD methods to depths up to 100 feet. The FERC notes this study in the DEIS, as "land subsidence" in the DEIS section discussing its karst-mitigation: backfilling it with sand.

The EPA remains concerned the installation of the proposed action by HDD could induce such "land subsidence" under a major river, such as the Flint, the Withlacoochee, the Suwannee, and/or other rivers flowing within the Dougherty Plain and the Cody Escarpment. Such "land subsidence" could realize reduced river flow in these rivers or a redirection of the river into large subsurface conduits or a cavern system, which is characteristic of the Floridan Aquifer. The EPA's environmental concern is heightened over the proposed collocation of the proposed 36-inch, high-pressured gas pipeline with the existing FGT 36-inch, high-pressured gas pipeline under the Suwannee River because the Suwannee River bed is littered with named and unnamed springs. The artesian springs along the Lower Suwannee River Basin are responsible for supplying much of the flow to the Suwannee River and its tributaries. They provide most of the fresh water to the Santa Fe, Alapaha, and Withlacoochee Rivers which drain toward the Suwannee River.

FA2-38

The EPA recognizes FGT's existing pipeline will remain in service during the proposed HDD operations. The proposed HDD could disturb the lithology around, and under, the FGT pipeline creating the possibility of destabilizing FGT's pipeline support, possibly causing undue stresses on its pipeline, potentially resulting in future pipeline failure. A failure of FGT's pipeline could realize a crater under the Suwannee River leading to the potential reduction in river flow or a redirection of the river into large subsurface conduits or a cavern system. Many of the Lower Suwannee River basin springs have extensive conduit systems. These cave systems concentrate much of the groundwater flow and allow it to discharge directly along the river or at springs

FA2-38

The Sabal Trail Mainline would be located within limestone bedrock and offset from the existing FGT pipeline at the Santa Fe River crossing by at least 50 feet. As detailed in section 3.13, the potential for either pipeline to catastrophically fail at any given location is extremely remote. Thus, construction and operation of the Sabal Trail Mainline does not pose a significant risk of damage to the existing FGT pipeline.

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- FA2-38 (cont'd) | close to the river. These cave systems have complex flow dynamics and routing during high and low flow conditions. Additionally, the Suwannee River is also known for its frequent flooding episodes. It is unclear what impacts the flooding episodes will have on both the proposed action and the FGT's pipeline.
- FA2-39 | The EPA recommends that the FERC discuss and fully examine the potential impacts associated with pipeline-induced craters in the vicinity of HDD sites, unmapped springs in a river bed, particularly the potential for diverting surface water underground into a disappearing stream. The FERC has not addressed the potential for a pipeline blast to occur in the pipeline segment installed under a river within the Floridan Aquifer's karst during the project's life. For example, Sabal Trail Transmission's affiliate, Spectra Energy's natural-gas pipeline buried beneath the Arkansas River exploded on May 31, 2015.^{xvii} It may have been the owner of the tugboat damaged by the rupture that first detected the rupture, then informed Spectra. Specifically, the EPA is concerned over the potential rupture of the proposed 36-inch, high-pressured, natural-gas pipeline in active use, under a surface waterbody within the karst system of the Floridan Aquifer. Pipeline ruptures create craters. A 51 by 113-foot crater was created by the force of escaping gas from a 30-inch diameter El Paso Natural Gas pipeline rupture in August, 2000.^{xviii} A 30 by 30 by 120-foot crater was created by a 36-inch gas pipeline failure near Crystal Falls, Michigan, in March of 2001.^{xix} A large crater was created by the release 64-million cubic feet of natural gas associated with the failure of a 24-inch pipeline in Orange County, Indiana, in October of 2003.ⁱ A crater was created by a gas pipeline rupture in Salem, Michigan, in October of 2007.ⁱⁱ A 50 by 33 by 7-foot crater was created by a 24-inch pipe rupture in Cooper County, Missouri, in August of 2008.ⁱⁱⁱ A 72 by 26-foot was created by a 30-inch pipeline rupture in San Bruno, California, in September of 2010.^{iv} A 'moon-like' crater resulted from a natural gas pipeline rupture in a rural area in western Missouri, in November of 2013.^v The creation of craters in a sensitive, vulnerable aquifer such as the Floridan Aquifer are a problem to be avoided. FERC provides no assurances with its route selection or karst mitigation that crater creation will be avoided. The EPA requests that the FERC consider these events and that they need to be avoided as they cannot be mitigated.
- FA2-40 | The EPA recommends that the FERC address the potential impacts associated with erosion and incising of river beds the proposed action crosses by either pipeline construction method. According to the FERC, the proposed pipeline will be constructed with conventional cut and cover techniques for most of its length. This technique entails the excavation of a trench where pipe is bedded and backfilled with material excavated from the trench. Five rivers, Walter F. George, and Shingle Creek will be crossed using the HDD technique. Scouring, or erosion that occurs along the beds of flooded rivers associated with the increased volume and rate of flood waters can remove dozens of feet from a river bottom by picking up sediment and carrying it downstream. Deepening river beds can expose pipelines buried as deep as 20 or 30 feet below the river bottom to debris that could cause ruptures. The most recent pipeline rupture occurred in Iowa on an Enterprise Products Partners pipeline buried 20 feet beneath the 'normal' Missouri River bed. The company said its ruptured pipeline leaked as much as 3,300 barrels of natural gasoline, a gasoline additive, into the river and that while scouring weakened the pipeline, the exact cause of the rupture was unknown.^{vi} Furthermore, the waterbodies, like the Flint River, are known to incise into their limestone river beds.

FA2-39

See response to comments FA2-27, FA2-37, and FA2-38. The cause of the May 31, 2015 pipeline incident in the Arkansas River is under investigation. However, we note that the pipeline in that case had been installed via trenching with 4 feet of cover below the river bed, whereas the Sabal Trail Mainline would be installed in bedrock at least 40 feet below the river bed at the five HDDs within limestone.

FA2-40

Section 3.3.2.4 of the EIS has been amended to acknowledge this concern. However, we conclude that streambed scour would pose a significant concern to the SMP Project for the following reasons: 1) the majority of the waterbodies crossed by the project are low-gradient streams which do not commonly experience deep, incisive events; 2) all of the major waterbodies would be crossed using the HDD method, which would install the pipeline at least 40 feet below the stream bed and in bedrock in many instances; and 3) the Applicants have committed to monitoring their pipeline facilities, including after high-precipitation or flood events, and would act to mitigate any pipeline that may become exposed (e.g., by armoring, reburial).

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- FA2-41 | The EPA recommends that the FERC discuss and examine the need for dewatering of the pipeline trench where ground water table may be at the surface or after significant precipitation events. Subsiding flood waters may have contributed to some sinkhole formation in the Albany, Georgia, area associated with the 1994 Flint River flooding.¹³¹ Dewatering a trench may realize a similar effect. Moreover, the FERC should also discuss what is done with the water taken from the trench to facilitate its construction and pipeline placement.
- FA2-42 | The EPA recommends that the FERC identify the number of pipeline crossings associated with the preferred route and discuss associated environmental impacts. According to Southern Natural Gas,¹³² each proposed Sabal Trail Transmission pipeline crossing of its existing pipeline poses a risk during construction and risks during operation and maintenance of both pipelines. Moreover, SNG's pipeline must remain in service during SMP's construction. Each time Sabal Trail bores or cuts under SNG's pipeline, the risk is increased for compromising the integrity of the existing and operational SNG pipeline. According to SNG, disturbing the soil around, and under, its pipeline during construction of each crossing creates the additional possibility that the soil around the SNG pipeline may become de-stabilized, possibly causing undue stresses on its pipeline, potentially resulting in future pipeline failure. Additionally, the possibility of creating undue stress on the crossed pipeline segment is exacerbated when the crossing is accomplished by using Sabal Trail's proposed, less expensive, open-cut trench method. Furthermore, SNG stated crossings complicate the cathodic-protection systems of both pipelines, making it more difficult to ensure that both pipelines are adequately protected from external corrosion. Pipeline crossings, particularly when the pipelines are running in parallel, complicate routine operation and maintenance activities such as line locating, leak surveying, and management of encroachments because the orientation of the pipelines changes from location to location, making it more difficult to manage those activities. SNG recommended to the FERC that crossings should be avoided where possible in order not to create unnecessary additional risk.
- FA2-43 | The EPA recommends that the FERC examine the potential for the proposed pipeline trench, during construction and the project life, may act as a water impoundment. This situation is where large volumes of water associated with a storm or flood event are collected until it can dissipate. Sinkhole formation can also be triggered by construction activities such as water impoundment.¹³³ Furthermore, it is unclear how much of the proposed action lies within a flood plain where flooding becomes a trigger for sinkhole formation. Because water impoundments are associated with the acceleration or triggering of sinkholes, particularly where they are underlain by karst conduits or shafts, the EPA recommends that the FERC consider the potential impacts of the pipeline trench as a water impoundment feature in a karst environment. The Floridan Aquifer is chiefly limestone with cavities and solution channels thought to be comparable in size and extent to those in Mammoth Cave, Kentucky.¹³⁴
- The DEIS states that significant amounts of water will be brought to the area associated with hydrostatic testing on the pipeline during construction. Additionally, hydrostatic testing can also be done as part of routine pipeline maintenance as required by PHMSA. During the testing phase, the pipeline acts as a linear water impoundment feature for the length of the line being tested. Water impoundments are associated with sinkhole formations. The DEIS environmental impacts discussion nor its proposed karst mitigation address this potential for sinkhole formation during construction and the pipeline's lifetime operations.

- FA2-41 | The potential for trench dewatering and how the water would be managed is discussed in section 2.3.1.5 of the EIS. In addition, each Applicant provided a detailed description of how discharges associated with trench dewatering would be managed in their respective construction plans, as referenced in section 2.3 of the EIS. The EIS has been revised to explain that Sabal Trail would also utilize a technique referred to as "laying ahead of the ditch" to reduce the potential for storm water to initiate karst activity. With this method, the time that the trench remains open should not exceed two to three days, thus limiting the opportunity for water to collect in the trench.
- FA2-42 | See our response to comment FA2-17.
- FA2-43 | See our response to comments FA2-27 and FA2-41. The EIS also discloses that surface water can trigger karst activity, and appendix F details the measures that the Applicants would implement to control water on the right-of-way in a manner that avoids or minimizes the potential to initiate karst activity.
- Hydrostatic test water would be contained within the interior of the pipelines during testing and, as such, would not create the potential to initiate karst activity as would an unlined surface water impoundment.
- Section 2.3 of the EIS and associated construction plans explain the use of trench plugs to limit the flow of water within the trench, and section 2.6.1 explains that the Applicants would conduct aerial and ground patrols of the right-of-way during operations to watch for signs of erosion, subsidence, and other features that may develop, and would address any concerns accordingly.

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- FA2-44 | The EPA requests that the FERC provide additional information on withdrawals and discharges for the proposed action. The EPA recommended in its scoping letter that the FERC explain how the water withdrawals will be evaluated to ensure consistency with EPA-approved State Water Quality Standards (WQS). The FERC should consider the protection and maintenance of designated uses and compliance with narrative and numeric criteria and Clean Water Act anti-degradation requirements.
- FA2-45 | The EPA recommends that the FERC address any potential for the proposed action to permanently affect water flow of the affected waterbodies, including any induced sinkholes affecting surface water flow. The DEIS indicates that the Hillabee Expansion project will withdraw 13.7 million gallons of water, identifying seven surface water sources. The Sabal Trail Transmission project will use 146 million gallons of water, including seven surface water sources for hydrostatic testing purposes and eleven surface water sources for HDD purposes. The FSC Project will use 29 million gallons of water for hydrostatic testing and 740,000 gallons for HDD purposes. The DEIS information on specific sources, volumes, discharge rates, and discharge locations is very limited. It indicates the withdrawals could range as high as 8 millions of gallons per day, or higher for the locations specified, including the FSC Project. These rates are not insignificant and could impact flow levels, which can impact water quality standards (WQS) and National Pollution Discharge Elimination System (NPDES) permits. Both WQS and NPDES permit limits are based on an expected instream flow. These rates could be significant for smaller water bodies, or during drought periods where they could represent a significant portion of stream flow, and significant hydrologic alteration. In particular, the EPA requests information on the types of data and modeling to be used to evaluate potential impacts from hydrologic alteration on recreation, aquatic life, and other designated uses. The FERC should provide information on the withdrawal rates, where these volumes are to be withdrawn, the timing of these withdrawals, where they will be discharged, whether the water will be withdrawn from one water/springshed and then discharged into another.
- The DEIS states that some volumes of water will be transported to subsequent sections of the projects for testing so as to avoid some withdrawals. The FERC does indicate whether withdrawals will be returned to the same water or springshed. Mile post information may be provided to indicate water withdrawal and discharge sites, but no information is given whether these sites are within the same water/springshed. Additionally, the EPA recommended in its scoping letter that the FERC address whether and how any downstream users (e.g., NPDES permit holders, any authorities withdrawing for water supply, etc.) will be notified of the temporary withdrawal amounts and timing and whether these withdrawals could affect their operations.
- FA2-46 | The EPA recommends that the FERC clarify whether the ROW at all wetland crossings remains 75 feet, and if it does not, where the ROW would be greater, and by how much. For example in Appendix D, the DEIS states, "*Transco proposes to modify the requirement to limit the width of the construction right-of-way in wetlands to 75 feet. Transco would utilize a construction right-of-way greater than 75 feet in certain wetlands due to site specific conditions. Table 3.4.1-2 identifies the locations where Transco would utilize a construction right-of-way greater than 75 feet in wetlands, and provides site specific justification for each proposed location*". However, the footnotes for Table 3.4.1-2 state: "*The right-of-way width at all wetland crossings is 75 feet*".

- FA2-44 | Water withdrawals are discussed in section 3.3.3 of the EIS, and include a description of how the Applicants would comply with the permitting requirements of each respective state. These requirements are based, in part, on compliance with State water quality standards. Section 3.3.3 has been amended to reference the state water quality and use compatibility.
- FA2-45 | The Applicants have adopted our Wetland and Waterbody Construction and Mitigation Procedures, which include measures addressing hydrostatic test water withdrawals. These measures are outlined in the Applicant's construction and restoration plans as discussed in section 2.3 of the EIS. See also our response to comments FA2-27 and FA2-37.
- FA2-46 | A summary of locations where the construction right-of-way width would be greater than the nominal 75-foot-wide construction right-of-way in wetlands, and the justifications for why, is provided in Table 2.3-1 in appendix D of the EIS, and section 2.3. Based on the reasons identified, we conclude that additional workspace is justified at the identified locations, and that the applicant's restoration and mitigation measures are adequate. In addition, we amended section 3.4.2.1 to clarify the construction right-of-way in wetlands is nominally 75 feet wide.

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- FA2-46 (cont'd) | The EPA strongly recommends that the FERC restrict wetland impacts to the 75-foot ROW and for wetlands that have *moderate* to *optimal* functionally, further avoidance and minimization measures be incorporated in order to meet the CWA §404 (b)(1) Guidelines. The EPA recommends that all forested areas impacted during construction, not within the operational ROW of the project, be replanted with similar trees (non-invasive species) to those impacted.
- FA2-47 | The EPA requests that the FERC provide the wetland mitigation plans for all three proposed pipeline projects which have not been included with this DEIS. Consequently, the wetlands impacts cannot be fully estimated or commented upon. The EPA is interested in the complete data sheets for each assessment area: including, at a minimum, for each wetland assessed the functional scores used to derive the overall functional score (i.e., the six used for the (wetland rapid assessment procedure (WRAP) or the three used for the universal mitigation assessment methodology (UMAM)). The DEIS did not include the information on the post-project WRAP or UMAM score for each assessment area.
- FA2-48 | The EPA recommends that the standard 5 years be incorporated into all post-construction monitoring for upland and wetland impacts. The FERC states that the post-construction monitoring will be for a minimum of two years. The EPA does not believe that this monitoring period is reasonable. Additionally, the FERC also states that it reviewed the applicant's specific plans to prevent the introduction or spread of noxious or invasive species and finds them acceptable. The EPA recommends that the FERC incorporate all wetland monitoring reports and invasive species plans, etc. that will be used for the project in a supplemental NEPA document or the FEIS and provide it for review and comment.
- FA2-49 | The EPA recommends that the FERC route the pipeline to avoid moderate to high risk areas, consistent with the above comment regarding developing a peer-reviewed risk assessment. The Karst Mitigation Plan (Appendix F) states, "*Avoidance was used as the primary mitigation measure during the planning and selection of the proposed alignment*". This statement is not supported by the current location of the preferred route in southern Georgia and northern Florida. In one area all of the karst sensitive areas the proposed action will traverse in Georgia and Florida, the applicant rated as a high sinkhole risk (Milepost 363.8) in Levy County, FL. Furthermore, the proposed route has not been rerouted to avoid this high sinkhole risk area. The DEIS concluded while the risk of sinkhole formation is high, the depth, type and relatively small diameter of sinkholes do not pose a threat to the pipeline (if remediated). The proposed action is not proposed to be rerouted to avoid an applicant-rated "moderate" sinkhole risk in the vicinity of a rural, municipal well field.
- FA2-50 | The EPA recommends that the FERC work with the appropriate state agencies to develop appropriate water quality monitoring protocols for the HDD actions. The proposed monitoring program proposed for mapped springs involves the establishment of a baseline turbidity level in springs that are 2,000 feet down gradient from the HDD activities proposed for the project. Prior to the start of HDD activity, a baseline turbidity level will be established at the springs to be monitored by collecting samples at six hour intervals over a 24 hour period. This monitoring program will allow Sabal Trail to determine if drilling mud and/or sediments from construction activities have entered the spring system. The EPA has environmental concerns that these identified springs may not be the actual ones affected by the HDD project. The structure of karst

- FA2-47 | Wetland mitigation measures are summarized in our response to comment FA2-3. The FERC staff does not believe it is practical or necessary to include wetland data sheets as part of the EIS, but refers the EPA to the Applicants' respective USACE applications SAM-2014-00238 and SAM-2014-00655 in Alabama; SAS-2013-00942 in Georgia; and SAJ-2013-03030 and SAJ-2013-03099 in Florida. Finally, the FERC acknowledges in section 3.4.2.2 of the EIS that some wetland functions would be degraded following construction and has modified the section to acknowledge that the USACE will address post-construction UMAM and WRAP scores in defining wetland mitigation requirements as required under Section 404 of the CWA.
- FA2-48 | Based on the FERC staff experience with other pipeline projects, we find that our standard condition to monitor wetlands until restoration is successful and file a report within 3 years is adequate considering the extended growing season conditions in the SMP Project area. Wetland monitoring reports could not be included in the EIS since construction and restoration have not occurred. As described in section 3.5.5 of this EIS, each Applicant included an Invasive Species Management Plan as part of their applications with the FERC. The FERC staff does not believe it is necessary to include them as part of the EIS, but table 2.3-2 provides the FERC Docket Accession Number where each document can be found.
- FA2-49 | See our response to comments FA2-05, FA2-16, and FA2-27, as well as section 4.3 of the EIS which analyzes various route alternatives that would avoid or reduce the crossing length in karst geology areas of Georgia and Florida.
- FA2-50 | Section 3.3.1.5 discusses springs and springsheds in proximity to the project and section 3.3.1.7 details the potential impacts that the project could have on springs in the area. See also our response to comments FA2-05, FA2-27, and FA2-28.

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FA2-50 (cont'd) systems is complex and highly heterogeneous. Groundwater movement can be slower and diffuse if overlying sediments cover the karst system or fill conduits or can be fast and concentrated in areas that lack overlying sediments or empty conduits. It is possible for lost drilling mud to show up in unexpected areas.

FA2-51 The EPA recommends that the FERC select an alternative that avoids karst areas that may collapse. The EPA requests that the FERC reconsider the proposed action siting in the vicinity the SNG and Dixie pipelines and the Albany Municipal well field. The FERC is proposing to install a third pipeline in the vicinity of a municipal well field known to undergo karst collapse. As the FERC has noted in the DEIS, the two existing pipelines were constructed prior to the municipal well field creation and prior to the FERC being required to comply with NEPA. Over 23 sinkholes have developed there since the initiation of well field pumping in 2003. All of the sinkholes formed during 2007 and 2008 developed in or adjacent to the storage ponds in the well field.¹⁴ These storage ponds are located in between the SNG and the Dixie Propane pipelines. According to FERC, the proposed route parallels the well field's southern boundary where it is collocated with Dixie's existing liquid propane pipeline within 350 to 450 feet from four of the eight municipal wells. The Dixie pipeline is within 250 to 450 feet of three of the wells and SNG's pipeline is within 200 to 400 feet of two of the wells. The SNG pipeline also crosses this well field diagonally for 1.5 miles. Should a pipeline rupture occur, and they do with some regularity despite PHMSA's safety regulations,¹⁵ it is these pipelines' potential to detrimentally impact the Floridan Aquifer's protective cover, which will leave water supplies with increased vulnerability to existing land-use and storm water-related pollution. To address these impacts will realize increased water treatment and other infrastructure costs to the local community, which in rural areas often meet the criteria for environmental justice considerations. The EPA remains concerned over the location of any compressor station in the vicinity of any natural gas or natural gas liquids pipeline that are within the sensitive karst region of the Floridan Aquifer, (and particularly a municipal well field).

FA2-52 The EPA recommends that the FERC address the proposed action's greenhouse gas (GHG) impacts in context of CEQ's Draft 2014 Climate Change Guidance.¹⁶ The DEIS states that no standard methodology exists to determine how the proposed SMP Project's incremental contribution to GHGs would translate into physical effects of the global environment. The FERC does acknowledge the operation of SMP Project would result in the distribution and consumption of about 1,000,000 Dekatherms/day of natural gas. Due to the magnitude of this energy consumption, the EPA strongly recommends that the FERC consider doing a life cycle analysis (LCA). For example, the Department of Energy has completed a *Life Cycle Analysis of Natural Gas Extraction and Power Generation* (May 29, 2014).¹⁷ Furthermore, the proposed action converts land uses currently conducive to CO₂ sequestration and storage.

FA2-53 The EPA recommends that the FERC evaluate the potential for the proposed action to interfere with prescribed burns and other efforts to avoid and mitigate wildfire impacts. As evidenced by the severe 2015 wildfire season in Western, U.S., there appears to be very little that can be done to control a wildfire and protect affected property.¹⁸ The FERC has not addressed the fact that the proposed pipeline route is within an identified high wildfire hazard area.¹⁹ Many of Florida's wildfires are started because of lightning strikes.²⁰ In fact one of Florida's thirteen pipeline incidents in 2014 included a lightning strike igniting a gas line.²¹ Georgia is the 8th highest

FA2-51 See our response to comments FA2-05, FA2-27, FA2-33, and section 4 of the EIS which analyze system and route alternatives that would avoid or reduce the proposed pipeline crossing length in areas of karst geology.

As discussed in our response to comments FA2-17 and section 2.3.2.7 of the EIS, table 2.3.2-2 (appendix D) lists the utility crossings associated with the SMP Project. The Applicants are required to comply with 49 CFR 192.325, which requires that the pipeline be installed with enough clearance from any other underground structure to allow proper maintenance and to protect against damage that might result from proximity to other structures. The Applicants would work with the owners of foreign utilities, including the Dixie Pipeline, to maintain the integrity of existing and proposed facilities where crossovers occur.

FA2-52 See section 3.14.4 for additional information related to the GHG emissions from coal and natural gas as well as FERC's policy on conducting lifecycle analyses.

FA2-53 As noted in the EIS, under most circumstances, operation of the pipeline facilities would not limit the ability to conduct prescribed burns or affect the ability to control and/or manage wildfires. Any prescribed burns that are conducted by landowners or land-managing agencies should be coordinated with the Applicants to ensure pipeline and aboveground facilities are not impacted by burn activities.

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(cont'd)

State in terms of density of lightning strikes per square mile. Lightning strikes from thunderstorms in June, July, and August account for over half of all injuries and deaths, and over 75% of property damage annually in Georgia.^{lviii} The National Oceanic and Atmospheric Administration's *Rank of Cloud-To-Ground Flash Densities by State* ranks FL #1, AL #4, and GA #13 of the 49 states studied from 1997 to 2012.^{lviii} Increased incidences of wildfire is also an issue identified with climate change predictions associated with prolonged drought periods.^{lviii} The southeast United States has historically experienced cycles of severe drought periods, which may be worsened by future climate change, and further aggravate wildfire conditions.^{lviii}

The EPA has provided extensive correspondence to the FERC prior to the issuance of the DEIS:

- April 21, 2014 Scoping Letter
- May 7, 2014, email notice of citizen complaint made to EPA
- July 17, 2014, letter regarding CWA 404 permitting
- August 11, 2014, email notice of citizen inquiry
- August 19, 2014, email notice of citizen complaint made to EPA
- September 11, 2014, technical comments on applicant's draft resources reports no. 2, 6, and 10 emailed
- October 1, 2014, EPA response to Cooperating Agency status
- November 3, 2014, citizen concerns expressed to EPA notice email
- June 10, 2015, EPA staff technical memo emailed
- July 20, 2015, comments on FERC's Supplemental NOI for the Albany Compressor Station
- July 24, 2015, email change of EPA's Cooperating Agency status because of resource constraints with FERC's NEPA schedule.

In summary, the EPA strongly recommends that an alternative route be considered, fully and objectively analyzed, and selected to completely avoid the most vulnerable karst areas of the Floridan Aquifer and avoid and minimize jurisdictional wetlands and other environmentally sensitive areas. The EPA requests that the FERC conduct a more thorough investigation and establish meaningful environmental metrics that allow for a full and informed comparison between the full range of reasonable and environmentally-sound alternatives.

ⁱ FERC docket numbers: (4 under construction) CP11-72 & CP14-12, CP13-25, CP12-509, CP12-507 and CP13-552. See: North American LNG Import/Export Terminals Approved (as of June 10, 2015), see: <http://www.ferc.gov/industries/gas/indus-act/lng/lng-approved.pdf>.

ⁱⁱ FERC docket numbers: CP14-120, CP14-71 & 72, CP14-347, PF13-11, CP14-517, PF 13-4 Gulf LNG, PF14-17, PF15-2, PF15-13, PF15-14, PF15-15, PF15-18, PF15-20, PF15-25, and PF15-26. The 16th is under the US MARAD/Coast Guard's jurisdiction, not FERC's. See: North American LNG Export Terminals Proposed (as of June 10, 2015), see: <http://www.ferc.gov/industries/gas/indus-act/lng/lng-export-proposed.pdf>

ⁱⁱⁱ April 28, 2015, emergency petition submitted by the Sierra Club Florida Chapter.

^{iv} Section 1424(e) of the SDWA.

^v GROUND WATER ATLAS of the UNITED STATES Alabama, Florida, Georgia, and South Carolina HA 730-G Floridan aquifer system, Figure 56. at http://pubs.usgs.gov/ha/ha730/ch_g/G-Floridan.html

^{vi} GROUND WATER ATLAS of the UNITED STATES Alabama, Florida, Georgia, and South Carolina HA 730-G Floridan aquifer system, Figure 55. at http://pubs.usgs.gov/ha/ha730/ch_g/G-Floridan.html

^{vii} See: FGS/FDEP web page on sinkholes at <http://dep.state.fl.us/geology/geologictopics/sinkhole.htm>

^{viii} There is a discrepancy between the 15 fracture traces identified in Chapter 3 and the 17 fracture traces depicted in the Figures 1 – 8 of Appendix H.

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¹⁵ Bullock, P.J. and Dillman, A. Sinkhole Detection in Florida using GPR and CPT. Available at

<http://www.dot.state.fl.us/statematerialsoffice/technical/conference/materials/bullock-dillman.pdf>

¹⁶ Florida Springsheds and Springs – from Florida Springs Protection Areas - Greenhalgh, T. H., P.G. #1277 and Baker, A. E., February 9, 2005, Open File Map Series No. 95.

¹⁷ Sabal Trail Transmission's FERC Section 7(c) Application, November 2014, Vol. 1, p. 3. Available at FERC's online administrative record.

¹⁸ See CEQ Chairman's May 12, 2003, letter responding to the Honorable Norman Y. Mineta's May 6, 2003 letter requesting CEQ's guidance on the issue of "purpose and need."

¹⁹ FERC's 2014-2018 Strategic Plan, <http://www.ferc.gov/about/strat-docs/strat-plan.asp>

²⁰ These request letters and FERC's corresponding approval letter orders can be found on FERC's online administrative record.

²¹ NEPA's Forty Most Asked Questions, No. 11, *Limitations on Actions by an Applicant during EIS Process*, available at http://www.fws.gov/r9esnepa/NEPA_Handbook/40_Asked_Questions.pdf

²² Sabal Trail Project, Draft Resource Report 10: Alternatives, FERC Docket No. PF14-1-000 (June 2014), p. 10-12, submitted to FERC as required in FERC's NEPA regulations, 40 CFR §380.12.

²³ Draft Resource Report 10: Alternatives, (June 2014), p. 10-14.

²⁴ Draft Resource Report 10: Alternatives, (June 2014), p. 10-33.

²⁵ For example on June 2, 2014, Sabal Trail Transmission, LLC's, filed a limited warranty deed in the Office of the Clerk of Court, Dougherty County, regarding its acquisition of 79,184 acres of land in Albany, GA.

²⁶ See 33 CFR Part 320.4(a), (b), (g), (j), & (m)

²⁷ See: the 1990 Memorandum of Agreement on the Determination of Mitigation under the Clean Water Act Section 404(b)(1) Guidelines between the EPA and the Corps, later codified in 2008 as the "Mitigation Rule" (*Compensatory Mitigation for the Loss of Aquatic Resources; Final Rule*, 40 CFR Part 230).

²⁸ The 1990 Memorandum of Agreement on the Determination of Mitigation under the Clean Water Act Section 404(b)(1) Guidelines between the EPA and the Corps, later codified in 2008 as the "Mitigation Rule" (*Compensatory Mitigation for the Loss of Aquatic Resources; Final Rule*, 40 CFR Part 230).

²⁹ The remaining three steps are sequentially ordered as follows. Second, the applicant must demonstrate compliance with water-quality standards, toxic-effluent standards, endangered-species habitat, or designated marine sanctuaries. 40 CFR 230.10(b). Third, the applicant must determine whether the requested discharge of fill material will cause significant degradation,³⁰ e.g., of the aquatic ecosystem. 40 CFR 230.10(c). After the three previous steps have been adequately evaluated, the potential for appropriate compensatory mitigation is assessed. The Mitigation Rule prohibits discharges unless all appropriate and practicable steps have been taken to minimize potential adverse impacts of the discharge on the aquatic ecosystem. 40 CFR 230.10(d). After impacts have been fully minimized, compensatory mitigation (e.g. aquatic restoration, enhancement, creation, or in certain circumstances, preservation) may be required to offset unavoidable losses.

³⁰ 40 CFR 320.4 (b).

³¹ 33 CFR 320.4(m).

³² The Sole Source Aquifer protection program is authorized by § 1424(c) of the Safe Drinking Water Act of 1974 (Public Law 93-523, 42 U.S.C. 300 et seq.). According to § 1424(e): If the Administrator determines, on his own initiative or upon petition, that an area has an aquifer which is the sole or principal drinking water source for the area and which, if contaminated, would create a significant hazard to public health, he shall publish notice of that determination in the Federal Register. After the publication of any such notice, no commitment for federal financial assistance (through a grant, contract, loan guarantee, or otherwise) may be entered into for any project which the Administrator determines may contaminate such aquifer through a recharge zone so as to create a significant hazard to public health, but a commitment for federal assistance may, if authorized under another provision of law, be entered into to plan or design the project to assure that it will not so contaminate the aquifer.

³³ Per SNG's November 13, 2014, and July 24, 2015, letters to FERC's Secretary available in FERC's SMP online administrative record.

³⁴ Per SNG's November 13, 2014, and July 24, 2015, letters to FERC's Secretary available in FERC's SMP online administrative record.

³⁵ The State of The National Pipeline Infrastructure, US Department of Transportation, available at https://opsweb.phmsa.dot.gov/pipelineforum/docs/Secretarys%20Infrastructure%20Report_Revised%20per%20PHC_103111.pdf

³⁶ FERC docket numbers: (4 under construction) CP11-72 & CP14-12, CP13-25, CP12-509, CP12-507 and CP13-552. See: North American LNG Import/Export Terminals Approved (as of June 10, 2015), see: <http://www.ferc.gov/industries/gas/indus-act/lng/lng-approved.pdf> .

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^{xxxii} FERC docket numbers: CP14-120, CP14-71 & 72, CP14-347, PF13-11, CP14-517, PF 13-4 Gulf LNG, PF14-17, PF15-2, PF15-13, PF15-14, PF15-15, PF15-18, PF15-20, PF15-25, and PF15-26. The 16th is under the US MARAD/Coast Guard's jurisdiction, not FERC's. See: North American LNG Export Terminals Proposed (as of June 10, 2015), see: <http://www.ferc.gov/industries/gas/indus-act/lng/lng-export-proposed.pdf>

^{xxxiii} FERC docket numbers: CP14-120, CP14-71 & 72, CP14-347, PF13-11, CP14-517, PF 13-4 Gulf LNG, PF14-17, PF15-2, PF15-13, PF15-14, PF15-15, PF15-18, PF15-20, PF15-25, and PF15-26. The 16th is under the US MARAD/Coast Guard's jurisdiction, not FERC's. See: North American LNG Export Terminals Proposed (as of June 10, 2015), see: <http://www.ferc.gov/industries/gas/indus-act/lng/lng-export-proposed.pdf>

^{xxxiv} Appropriate Use of Mitigation and Monitoring and Clarifying the Appropriate Use of Mitigated Findings of No Significant Impact (January 14, 2011) MEMORANDUM FOR HEADS OF FEDERAL DEPARTMENTS AND AGENCIES available at <http://energy.gov/nepa/downloads/appropriate-use-mitigation-and-monitoring-and-clarifying-appropriate-use-mitigated>

^{xxxv} Summary of Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, <http://www2.epa.gov/laws-regulations/summary-executive-order-12898-federal-actions-address-environmental-justice>

^{xxxvi} Florida Springsheds and Springs – from Florida Springs Protection Areas - Greenhalgh, T. H., P.G. #1277 and Baker, A. E., February 9, 2005, Open File Map Series No. 95. The purpose of the map is to identify areas that contribute flow to Florida springs and to provide a published resource for land use decision-makers as they work to protect and restore both the quantity and quality of water discharging from Florida's springs. In the springs protection area, the sole source of drinking water and the source of spring discharge is groundwater.

^{xxxvii} Emergency Petition Sole Source Aquifer Designation for the Floridan Aquifer System, https://doc-08-a0-apps-viewer.googleusercontent.com/viewer/secure/pdf/3nb9bdfcv3e2h2k1cmql0ee9cvc5ole/1s6gkgsq9acg4tjjacjf0lslea66ckr/1442517000000/drive/*ACFrOgDvyc4MowndGX9MyjIQAKd1xTBj-HPFhK6UREM97p5PbA_Ns6HblgYavZhh5-clr7VkdzjS8DAxi0XEeHvuqANFVPx52dKGK5e9J2uSSnZU6-eqyDBIZY=?print=true

^{xxxviii} Bullock, P.J. and Dillman, A. Sinkhole Detection in Florida using GPR and CPT. Available at <http://www.dot.state.fl.us/statematerialsoffice/geotechnical/conference/materials/bullock-dillman.pdf>

^{xxxix} The Florida Division of Emergency Management's 2013 State of Florida Enhanced Mitigation Plan has a sinkhole hazard ranking by county. See Figure 3.38, p. 3-162, available at www.floridadisaster.org/Mitigation/State/Index.htm

^{xl} Geological and Geotechnical Investigation Procedures For Evaluation of the Causes of Subsidence Damage In Florida, Florida Geological Survey Special Publication No. 57, 2005, available at http://publicfiles.dep.state.fl.us/FGS/FGS_Publications/SP/SP57GeologicalProcCausesSubsidenceDamage.pdf

^{xli} Geological and Geotechnical Investigation Procedures For Evaluation of the Causes of Subsidence Damage In Florida, Florida Geological Survey Special Publication No. 57, 2005, available at http://publicfiles.dep.state.fl.us/FGS/FGS_Publications/SP/SP57GeologicalProcCausesSubsidenceDamage.pdf

^{xlii} <http://www.dep.state.fl.us/geology/disclaimer.htm>

^{xliii} Professional Service Industries, Inc. (PSI) Sept. 18, 2014 preliminary geotechnical report indicated for the preferred site, west of Newton Road, two engineering borings were drilled. The standard penetration test results indicated zones where the drill rods fell under their own weight and losses in drilling-fluid circulation. These are indicators of porous rock, typical of the Floridan Aquifer. And can signify solution activity within the limestone formation and potential for sinkhole development.

^{xliiii} Yuhir, L., et al, A Case History of a Large Karst Investigation, available at <http://www.dot.state.fl.us/statematerialsoffice/geotechnical/conference/materials/yuhr-benson-kaufmann-casto-jennings.pdf>

^{xlv} *Induced Sinkhole Formation Associated With Installation of a High-Pressure Natural Gas Pipeline, West-Central Florida*. T. J. Smith and G. C. Sinn, 13th Sinkhole Conference, Nckri Symposium 2, pp. 79 – 88, available at http://scholarcommons.usf.edu/cgi/viewcontent.cgi?article=11116&context=sinkhole_2013

^{xlv} FGS/FDEP web page on sinkholes at <http://dep.state.fl.us/geology/geologictopics/sinkhole.htm>

^{xlv} *Induced Sinkhole Formation Associated With Installation of a High-Pressure Natural Gas Pipeline, West-Central Florida*. T. J. Smith and G. C. Sinn, 13th Sinkhole Conference, Nckri Symposium 2, pp. 79 – 88, available at http://scholarcommons.usf.edu/cgi/viewcontent.cgi?article=11116&context=sinkhole_2013

^{xlvii} Source: Arkansas River pipeline blowout occurred on Sunday morning, cause still unknown. See: <http://www.arktimes.com/ArkansasBlog/archives/2015/06/03/arkansas-river-pipeline-blowout-occurred-on-sunday-morning-cause-still-unknown>

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^{iviii} See: NTSB Abstract PAR-0301, USDOJ: Environment and Natural Resources Division : U.S. v. El Paso Natural Gas Co". Justice.gov. 2007-07-26. Retrieved 2013-04-02, and see:

https://en.wikipedia.org/wiki/List_of_pipeline_accidents_in_the_United_States_in_the_21st_century,

^{xix} http://primis.phmsa.dot.gov/comm/reports/enforce/documents/320021003H/320021003H_CAO_03282002.pdf

^l http://primis.phmsa.dot.gov/comm/reports/enforce/documents/320031010H/320031010H_CAO_10242003.pdf

^{li} https://en.wikipedia.org/wiki/List_of_pipeline_accidents_in_the_United_States_in_the_21st_century

^{lii} http://primis.phmsa.dot.gov/comm/reports/enforce/documents/320141008S/320141008S_Notify%20of%20Proposed%20Safety%20Order_12242014.pdf

^{liii} Measuring Cat Exposure in the Energy Space Energy Transmission Catastrophes OCTOBER 4, 2012, Chris Ramarui, Senior Vice President, Session MAN-4, can find at

https://www.google.com/?gws_rd=ssl#q=wildfires+and+natural+gas+pipelines&start=10

^{liv} Source: Missouri gas pipeline ruptures, explodes, Nov. 29, 2013, <http://www.cbsnews.com/news/missouri-gas-pipeline-ruptures-explodes/>

^{lv} Second pipeline rupture has officials worried about erosion (08/19/2011),

<http://online.wsj.com/article/SB10001424053111904070604576516732060524112.html>

^{lvi} Hyatt, J.A. and Jacobs, P.M. *Distribution and morphology of sinkholes triggered by flooding following Tropical Storm Alberto at Albany, Georgia, USA*. *Geomorphology* 17 (1996) 305 – 316, available at

<http://www.sciencedirect.com/science/article/pii/0169555X96000141>

^{lvii} Per SNG's November 13, 2014, letter to FERC's Secretary available in FERC's SMP online administrative record.

^{lviii} *Induced Sinkhole Formation Associated With Installation of a High-Pressure Natural Gas Pipeline, West-Central Florida*. T. J. Smith and G. C. Sinn, 13th Sinkhole Conference, Nckri Symposium 2, pp. 79 – 88, available at http://scholarcommons.usf.edu/cgi/viewcontent.cgi?article=1116&context=sinkhole_2013

^{lix} Springfield, V.T., *Artesian Water in Tertiary Limestone in the Southeastern States*, Geological Survey

Professional Paper 517 (1966), p. 17, available at <http://pubs.usgs.gov/pp/0517/report.pdf>

^{lx} Warner, D.G., et al, *Hydrologic Conditions, Groundwater Quality, and Analysis of Sinkhole Formation in the Albany Area of Dougherty County, Georgia*, 2009, USGS Scientific Investigations Report 2012-5018, p. 17, available at <http://ga.water.usgs.gov/projects/albany/publications.html>

^{lxi} For example in 2014 there were 705 pipeline incidents, that PHMSA was aware of, which realized 19 fatalities and 96 injuries. See: Pipeline and Hazardous Materials Safety Administration's 20-year incidences summary at <https://hlp.phmsa.dot.gov/analytics/SOAP.saw.dll?Portalpages> And see PHMSA's pipeline investigation reports site at <http://phmsa.dot.gov/pipeline/library/failure-reports>

^{lxii} Revised Draft Guidance for Greenhouse Gas Emissions and Climate Change Impacts

<https://www.whitehouse.gov/administration/eop/ceq/initiatives/nepa/ghg-guidance>

^{lxiii} DOE/NETL-2014/1646, available at

<http://www.netl.doe.gov/File%20Library/Research/Energy%20Analysis/Life%20Cycle%20Analysis/NETL-NG-Power-LCA-29May2014.pdf>

^{lxiv} For example, two fires in California: Butte and Valley Fires have destroyed over 1,000 homes. The Valley Fire has consumed 585 homes, destroyed hundreds of other structures, and scorched over 70,000 acres of land. The Butte Fire has destroyed 511 residences and more than 330 outbuildings in the course of 10 days. California Fires have destroyed over 1,000 homes (September 20, 2015) <http://wqad.com/2015/09/20/california-wildfires-have-destroyed-more-than-1000-homes/>

^{lxv} State of Florida Enhanced Hazard Mitigation Plan, Chapter 3 State Risk Assessment, Figure 3.27, available at <http://www.floridadisaster.org/mitigation/State/Index.htm>

^{lxvi} Hazardous Weather: a Florida Guide to Wildfires, <http://www.floridadisaster.org/kids/wildfires.htm>

^{lxvii} Florida Public Service Commission, Natural Gas Pipeline, Annual Safety Report, 2014, see:

http://www.psc.state.fl.us/publications/pdf/electricgas/Gas_Pipeline_Safety_2014.pdf

^{lxviii} National Weather Service Brochure: Lightning, Georgia's Underrated Killer

http://www.srh.noaa.gov/images/ffc/pdf/Lightning08_final.pdf

^{lxix} http://www.lightningsafety.noaa.gov/stats/97-12Flash_DensitybyState.pdf

^{lxx} 2014 National Climate Assessment Report: Regions: Southeast,

http://nca2014.globalchange.gov/search/node?search_api_views_fulltext=wildfire

^{lxxi} The post 2005 drought appears to have been caused partly by atmosphere-ocean climate variability and partly by internal atmosphere variability, all of which is typical of what has been happening in the region for hundreds of years. The serious stress the drought put on social and agricultural systems in the region came about purely due to lack of adequate planning based on knowledge of regional climate variability. Belated planning now must also take

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into account the possibility that climate change will increase stress on regional water resources. Seager, R. Drought in the southeastern United States: the recent drought in the context of a millennium of climate variability, physical causes and future hydroclimate change, (July 2008), LDEO Drought Research <http://www.ldeo.columbia.edu/res/div/ocp/drought/SF.shtml>

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Federal Agency Comments

FEDERAL AGENCIES

FA3 – U.S. Department of the Interior

O-34

FA3-1

Comment No.	Page	Section No.	Vero Beach Field Office FSC Comments	Specific Project (i.e., Hillabee, Sabal Trail, FSC)
1	Comment	NA	For clarification, FERC is the action agency for the proposed pipeline. Per ESA, FERC has the ultimate responsibility section 7 compliance.	FSC
2	Comment	NA	Within the Draft EIS there have been a number of references to initiating section 7 formal consultation under ESA; however, because this document is a "Draft" EIS and because the Department has not received all relevant information (i.e. survey reports, agreement on effect determinations, etc.) relating to the FSC federally listed and proposed species, we are unable to initiate formal consultation at this time. We continue to recommend that FERC and FSC submit a biological assessment that covers only the FSC portion of proposed project for clarity during consultation.	FSC
3	Comment	NA	The Department is in the process of internal discussion on an appropriate and consistent approach for consultation on blue-tailed mole skink and sand skink. We are currently discussing post-construction monitoring and reporting, depth of A-soil horizon layer segregation, and mitigation ratios. FERC and the FSC project proponents will be notified by the Department management has made a final decision that can be incorporated into the project.	FSC
4	Request	NA	Please provide a Sabal Trail/ Florida Southeast Connection (FSC) table that identifies each federally listed species location by coordinates and quantifies the total acres of temporary and/or permanent impacts for each species. The table should also include column with the avoidance, minimization and conservation measures for each species, and the mitigation and/ or voluntary conservation measures FSC is proposing.	FSC/Sabal Trail
5	Request	NA	Please confirm that the FSC/ Sabal Trail Projects pipeline right-of-way will be allowed to re-vegetate on its own and not be seeded where federally listed and proposed for listing species may reside?	FSC/Sabal Trail

FA3-1

We acknowledge the U.S. Fish and Wildlife Service's (FWS) comments on the draft EIS and Biological Assessment. The Biological Assessment in the final EIS has been updated to include additional project information and conservation measures that FSC proposes to implement. FERC Environmental Staff are coordinating with the Vero Beach Office to further address the FWS's comments and complete section 7 consultation for the SMP Project.

FA3 – U.S. Department of the Interior (cont'd)

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FA3-1
(cont'd)

Comment No.	Page	Section No.	Vero Beach Field Office FSC Comments	Specific Project (i.e., Hillabee, Sabal Trail, FSC)
6	Comment	NA	Please be advised, the Department requires that the FSC routine vegetation mowing or clearing near bald eagle nests will occur in accordance with the National Bald Eagle Management Guidelines (USWFS 2007). Project should be modified accordingly.	FSC
7	Comment on Biological Assessment	NA	Section 7 of the ESA regulations require the Federal action agency (FERC/FSC) to provide an analysis of cumulative effects , along with other information, when requesting initiation of formal consultation; please provide that analysis. A formal biological opinion consists of a description of the proposed action, status of the species/critical habitat, the environmental baseline, effects of the action, cumulative effects, and the Department's conclusion of jeopardy/no jeopardy and/or adverse modification/no adverse modification, and reasonable and prudent alternatives, as appropriate. Cumulative effects are those effects of future State or private activities, not involving Federal activities and that are reasonably certain to occur within the action area of the Federal action subject to consultation. [50 CFR §402.02] This definition applies only to section 7 analyses and should not be confused with the broader use of this term in the National Environmental Policy Act or other environmental laws.	FSC
8	Page ES-8, (page 32 of 905)	Major Conclusions, Ninth Bullet	Please explain what FERC/FSC's ESA voluntary conservation measures and/or mitigation measures are and how and when they will be monitored and reported on to the Service? Ref. FERC Draft EIS: "environmental inspection and monitoring programs would ensure compliance with all construction and mitigation measures that become conditions of the FERC authorizations and other approvals."	FSC
9	Page 1-1 (page 33 of 905)	Introduction, Second Paragraph	What does the Blanket Certificate for limited future activities, and services on the new facilities include? Ref. FERC Draft EIS: "On September 26, 2014, FSC filed an application with the FERC in Docket No. CP14-554-000 pursuant to section 7(c) of the Natural Gas Act (NGA) and Parts 157 and 284 of the Commission's regulations. FSC is seeking a Certificate of Public Convenience and Necessity	FSC

FA3 – U.S. Department of the Interior (cont'd)

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FA3-1
(cont'd)

Comment No.	Page	Section No.	Vero Beach Field Office FSC Comments	Specific Project (i.e., Hillabee, Sabal Trail, FSC)
			(Certificate) to construct, own, and operate a natural gas pipeline and related facilities, and a Blanket Certificate for limited future activities and services on the new facilities."	
10	Page 2-3 (page 58 of 905)	Proposed Facilities, Last Bullet	Please define and explain what will be considered minimal ground disturbances, and where will they be located? Ref. FERC Draft EIS: "FSC have not designed the cathodic protection systems for the FSC Project yet, but expects the facilities to require minimal ground disturbance."	FSC
11	Page 2-25, (page 80 of 905)	2.2.3.1 Pipeline Right-of-Way	Please provide additional information regarding the expansion of the 100 foot right-of way . The 125-155 foot-wide variation described herein is a deviation from the previously specified right-of-way width of 100 feet during federally listed species discussions between the Department and FSC; Please provide information on the additional effects to federally listed species? This should be included in the table requested above. Ref. FERC Draft EIS: "FSC would generally use a 100-foot-wide temporary right-of-way to construct the majority of the proposed route in upland non-agricultural areas and a 125-foot-wide construction right-of-way in agricultural areas (see appendix C)."	FSC
12	Page 2-25, (page 80 of 905)	2.2.3.1 Pipeline Right-of-Way	Please provide additional information regarding the expansion of the 100 foot right-of way . The 125-155 foot-wide variation described herein is a deviation from the previously specified right-of-way width of 100 feet during federally listed species discussions between the Department and FSC; Please provide information on the additional effects to federally listed species? This should be included in the table requested above. Ref. FERC Draft EIS: "Most ATWSs would add 25 feet onto the construction right-of-way, effectively creating a 125- to 155-foot-wide work area at the ATWS location. In total, ATWSs would temporarily require about 167.6 acres of land. Table 2.2.1-1 in appendix D lists each ATWS proposed on the FSC Project."	FSC
13	Page 2-26, (page 81 of 905)	2.2.3.4 Access Roads	Please provide the Department with all federally listed and proposed species surveys reports associated with access road improvements, modifications, and constructions. This information is	FSC

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			helpful when assess the status of the species in the action area and the effects to the proposed project. Ref. FERC Draft EIS: "FSC has identified 254 existing roads that would need to be improved or modified. Additionally, FSC would permanently maintain 14 existing roads for operations and build 1 new road for temporary use during construction."	
14	Page 3-63, (page 162 & 163 of 905)	3.3.3.5 Florida Southeast Connection Project	Please provide the location for all hydrostatic test water discharges and information on whether those discharges will impact any federally listed species? Ref. FERC Draft EIS Comment: "Prior to construction, FSC should provide the sources and volumes of water that would be used for hydrostatic testing activities. This should include hydrostatic test water discharge locations, the volumes of water that would be discharged at each location, the maximum discharge rate, and the watershed associated with each source and discharge location. In addition, FSC should provide the volume and sources of water to be used for HDD operations." FERC Draft EIS: "At this time, FSC has not finalized and identified the specific sources, estimated volumes, discharge locations, and the discharge rates for hydrostatically testing its pipeline or for HDD operations."	FSC
15	Page 3-70, (page 168 - 171 of 905) and Page 3-76, (page 176 of 905)	3.4.2.2 General Impacts and Mitigation Measures and 3.4.3.3 Florida Southeast Connection Project	Please provide FERC/FSC's Wood Stork Habitat Assessment Methodology calculations to support the FSC proposed mitigation for wood stork foraging habitat impacts. These calculations will provide the Department with FSC's comparative assessment between impacts to wood stork foraging from the FSC's project and FSC's proposed foraging habitat compensation. The habitat variables of prey availability, hydrologic regime, and water quality all play a role in determining the ecological function that a wetland provides for wood stork foraging. Ref: Wood Stork Foraging Habitat Assessment Methodology @ http://www.fws.gov/verobeach/ListedSpeciesBirds.html . Core wood stork foraging area – 18.6 mile radius: • The 18.6-mile core foraging area (CFA) around all known wood stork colonies in south Florida is important for reproductive success.	FSC

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Comment No.	Page	Section No.	Vero Beach Field Office FSC Comments	Specific Project (i.e., Hillabee, Sabal Trail, FSC)
			<ul style="list-style-type: none"> • The Department believes loss of suitable foraging wetlands within these CFAs may reduce foraging opportunities for the wood stork. • The Department recommends the applicant replace wetland foraging habitat lost due to the action. • The Department believes wetlands offered as compensation ideally should be of the same hydroperiod and located within the CFAs of the affected wood stork colonies. • A loss of biomass within a hydroperiod class without a corresponding increase in biomass within the same hydroperiod from habitat restoration is considered take under the ESA. <p>Note FERC Draft EIS: "The USACE would determine mitigation requirements using WRAP or UMAM scores, the Ratio Method, wetland type indicators, acreage of impact, and secondary or indirect impacts to adjacent resources, as applicable." and "FSC Project would impact about 232.1 acres of wetlands, including 118.0 acres of emergent wetlands, 94.9 acres of forested wetlands, and 19.2 acres of scrub-shrub wetlands."</p> <p>Additional Comment: Please be advised that Corps jurisdictional wetlands are not necessarily synonymous with wetland areas used as wood stork foraging habitat and additional impacts may need to be addressed.</p>	
16	Page 3-77, (page 176 of 905)	3.4.3.3 Florida Southeast Connection Project	<p>Please be advised, if FERC/FSC intends to use the Corps wetland mitigation credits as compensation for federally listed species impacts, those credits need to be determined and provided to the Department for consideration within the ESA formal consultation process. Ref. FERC Draft EIS Comment: "However, because this mitigation plan has not been finalized, we recommend that: Prior to construction, FSC should file a copy of its final wetland mitigation plan and documentation of USACE approval of the plan." FERC Draft EIS: "The operational right-of-way for the FSC Project would overlap about 137.8 acres of wetlands, including 73.7 acres of emergent wetlands, 51.2 acres of forested wetlands, and 12.9 acres of scrub-shrub wetlands. Vegetative maintenance during</p>	FSC

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			operations would permanently convert 34.7 acres of forested wetlands to scrub shrub and/or emergent wetlands." "In consultation with the USACE and FDEP, FSC proposes to create a project-specific wetland mitigation plan which would include the purchase of wetland credits from established wetland mitigation banks. The mitigation plan would also detail measures for restoring affected wetlands and monitoring restoration efforts. FSC is currently in the process of identifying established wetland mitigation banks, with available credits in the types needed, within the watersheds that would be affected by the project using the USACE's RIBITS database."	
17	Page 3-103, (page 202 of 905)	3.8, SPECIAL STATUS SPECIES	Please be advised, all federally listed and proposed for listing species survey reports should be submitted to the Service for review during our section 7 consultation. FERC/FSC should make every attempt to provide those survey results to the Service with initiation of consultation. Delays in reports could result in delays with initiation and completion of the consultation. FERC Draft EIS: "Species-specific surveys remain to be completed on various properties where survey access has been denied. Survey results will be provided when available. FERC Comment: Because surveys and our consultations are ongoing, we recommend that: "the Applicants should not begin construction until: a.) all outstanding biological surveys have been completed; b.) the staff receives comments from the FWS regarding the proposed actions; c.) the staff completes formal consultation with the FWS; and d.) the Applicants have received written notification, respectively, from the Director of OEP that construction or use of mitigation may begin."	FSC
18	Page 3-104, (page 203 of 905)	3.8.1, Federally Listed Threatened and Endangered Species	Please be advised, all FSC proposed species survey reports should be submitted to the Department when section 7 consultation is initiated. Delays in reports could result in delays in initiation of consultation. FERC Draft EIS: "Although proposed, petitioned, and candidate species and proposed critical habitat do not receive federal protection through the ESA, we considered the	FSC

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			potential effects on these species and habitats so that section 7 consultation could be facilitated in the event one or more of these species become listed before or during SMP Project construction."	
19	Page 3-107, (page 203 of 905)	3.8.1 Federally Listed Threatened and Endangered Species	<p>Ref. FERC Draft EIS Comment: "For eight federal species, we determined additional avoidance or conservation measures are necessary to reduce adverse effects that would otherwise occur if the project is constructed, and in part, are basing our determinations of effects on implementation of these measures. Our recommendations regarding these eight federal species are as follows: To minimize impacts on Florida scrub-jays and occupied Florida scrub-jay habitat, we recommend that: • FSC should avoid construction within occupied Florida scrub-jay habitat between March 1 and June 30, unless additional surveys confirm that this habitat is unoccupied FSC receives written confirmation from the Commission that construction activities can occur within this timeframe "</p> <p>Department Comments: When assessing potential effects to scrub-jay consider not only the project area, but also a 183-m (600-ft) buffer surrounding the area. Suitable habitat on the property may not only be the nest sites of scrub-jays, but could be part of the scrub-jay foraging habitat, which is considered by the Service as occupied, because the habitat fulfills the species life history requirements. If scrub-jays are detected by survey or are known to be present on the property then the project may affect the scrub-jay. The presence of scrub oaks, no matter how sparsely distributed, is a key indicator of "scrub" habitat. The Service strongly recommends that occupied scrub-jay habitats be avoided and preserved, but if the amount of habitat on-site and in the adjacent off-site buffer is not sufficient to support a scrub-jay family, then the project is likely to adversely affect the scrub-jay. Sufficient habitat for this evaluation is 10.1 ha (25 acres), which is the average size of a scrub-jay territory. Please provide a schematic showing scrub-jay responses and territory boundaries based on surveys. This information will assist the Service is assessing the effects of the project during consultation and</p>	FSC

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Comment No.	Page	Section No.	Vero Beach Field Office FSC Comments	Specific Project (i.e., Hillabee, Sabal Trail, FSC)
			evaluation of FSC's proposed voluntary conservation measures.	
20	Page 3-107, (page 203 of 905)	3.8.1 Federally Listed Threatened and Endangered Species	Ref. FERC Draft EIS: To minimize impacts on federally listed plants, we recommend that: prior to construction, Sabal Trail should file for the review and written approval by the Director of OEP, results of consultation with the FWS indicating the minimization/avoidance measures that will be used for federally listed plants, including, opportunities for: a) "avoidance of plant locations and associated habitat as feasible, including "necking-in" or reducing the construction footprint;" Department's Comment: We recommend avoidance using HDD if an available option at these locations.	FSC
21	Page 3-107, (page 203 of 905)	3.8.1 Federally Listed Threatened and Endangered Species	Ref. FERC Draft EIS: "To minimize impacts on six plant species that occur with the proposed FSC's Project workspace we recommend that: prior to construction, FSC should file for the review and written approval by the Director of OEP, results of consultation with the FWS indicating the minimization/avoidance measures that would be used for the Florida bonamia, Lewton's polygala, papery whitlow-wort, scrub buckwheat, scrub mint, and Small's jointweed including (in the order listed), opportunities for: a) avoidance of plant locations and associated habitat as feasible, including "necking-in" or reducing the construction footprint; Department's Comment: We recommend avoidance using HDD if an available option at these locations.	FSC
22	Page 3-163, (page 262 of 905) and Page 3-213, (page 312 of 905), 3.10.3.5	3.9.3.1, Florida Southeast Connection Project, General Land Use, Access Roads and 3.10.3.5, Transportation	The Department is responsible for determining the action area (area including all direct and indirect effects which including access roads) during section 7 consultation. If your FSC pipeline project requires any road creation, enhancements and/or modifications that have the potential to impact federally listed or proposed species, please provide the Department with your species survey reports documenting the status of those federally listed and proposed for listing species within those areas. Please also address those access road pipeline related activities within your FSC Biological Assessment and the Final EIS. If FERC/FSC species surveys indicate "No Effect" for any federally listed species within or adjacent to access	FSC

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Comment No.	Page	Section No.	Vero Beach Field Office FSC Comments	Specific Project (i.e., Hillabee, Sabal Trail, FSC)
			<p>roads, the pipeline right-of-way, or associated work areas, please document those findings within your FSC biological assessment and/or your ESA request for formal consultation so they may be considered by the Department while preparing our biological opinion. This comment is in reference to:</p> <p>FERC Draft EIS: "Permanently maintain 14 existing roads for operations (4 of which do not require modifications);" "build 1 new road for temporary use, which would be returned to preconstruction conditions following construction;" and "modify 254 private, existing roads for temporary access during construction (see table 2.2.1-4 in appendix D)."</p> <p>FERC Draft EIS: "Of the proposed access roads, 256 are associated with contractor yard and pipeline right-of-way access and 13 are associated with aboveground facility access. Modifications to existing temporary access roads would affect 128.5 acres of land. Permanent access roads would affect 5.3 acres of land. Following construction, temporary access road improvements would be removed and roads restored to their preconstruction condition unless the landowner or land-managing agency requests that the improvements be left in place. To restore the roads, the areas outside the original road footprint would be recontoured and disturbed areas would be reseeded with an appropriate seed mix unless otherwise requested by the landowner or land management agency."</p> <p>FERC Draft EIS, Page 3-213, (page 312 of 905), 3.10.3.5, Transportation: "FSC also proposes to utilize approximately 269 existing roads to accommodate construction vehicles, as discussed in sections 2.2.1 and 3.9; the majority of these roads would require improvements or modifications. Users of these roads could experience temporary disruptions similar to road crossing impacts discussed above. Following construction would be restored in accordance with road encroachment permit requirements and/or as requested by the landowner or land-managing agency."</p>	
23	Page 3-164, (page 263 of 905)	3.9.3.2, Impacts and Mitigation	No federally listed species related conservation measures have been identified or addressed within this section. Would FERC/FP&L/FSC be willing to	FSC

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			offer any voluntary contributions to conservation funds to offset the project's potential impacts to federally listed species and their habitats (i.e., indigo snake, scrub-jay, caracara, grasshopper sparrow, sand skinks, and blue tailed mole skinks, etc.). Any contributions would be taken into consideration review of the project.	
24	Page 3-258 & 259, (page 357 & 358 of 905) and Page 3-262, (page 361 of 905)	TABLE 3.12.2-3 Ambient Noise Levels for the Florida Southeast Connection Project Horizontal Directional Drill Sites (dBA)" and 3.12.2.2 Noise Impacts and Mitigation, Construction Impacts and Mitigation	There are two areas surrounding snail kite nests that are important for considering impacts to snail kites (South Florida Ecological Services Office DRAFT May 18, 2004 Snail Kite Monitoring Protocol). An inner 130-m (425 ft) protective zone is recommended to reduce disturbance of birds on the nest based on known flushing distance. A 500-m (1,640 ft) area surrounding the nest should be protected from habitat disturbances, such as anthropogenic water level changes and vegetative alterations during the breeding season (January to May) to protect the foraging area of the nesting birds. Every effort should be undertaken to avoid adverse effects to any snail kite observed during project activities. If it appears that these activities will alter breeding, feeding, or roosting behavior of snail kites, the activity must not be carried out until the proper action can be determined. A pre-project activity survey should be conducted to learn foraging, feeding, and roosting patterns of the snail kite group on site. Document the location of all snail kites and describe their behavior. If the snail kite is documented on site then project activities should be modified to avoid disturbing the birds. No activities should be conducted within 130 m (425 ft) of the nests during breeding season or around roosting sites throughout the year. At the end of project activities in the snail kite areas a monitoring report should be sent to the South Florida Ecological Services Office within 60 days. A snail kite education plan can be used to help reduce the effects of a project on snail kites. This comment is in reference to FERC Draft EIS: "Construction of the SMP Project would involve the use of light equipment such as chain saws and other small power tools; and heavy, gasoline or diesel-powered machines such as excavators, backhoes,	FSC

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			<p>bulldozers, dumb trucks, loaders, cranes, and boring equipment. Blasting may be necessary at select locations, and various powered pumps would be used to control water in the workspace or during hydrostatic testing activities. Noise would also be generated by trucks and other light vehicles traveling in and near areas under construction."</p> <p>"Pipeline construction would result in noise along the entire 685.5 miles of pipeline proposed for the SMP Project, although pipeline installation would typically be completed within 6 to 12 weeks at any given location." Also note Page 3-262, (page 361 of 905), Table 3.12.2-6, Lake Kissimmee Creek:</p> <p>"Existing Ambient Sound Level = 55.0 dBA, HDD Sound Level = 67.0 dBA, Sound Increase = 12.3 dBA) As shown in table 3.12.2-6, the HDD activities without mitigation have the potential to exceed the FERC noise criterion of 55 dBA Ldn." "Mitigation measures could include mitigation measures that could include use of various temporary noise barriers; use of exhaust silencers; relocation of equipment; or, offer of temporary housing or other compensation. FSC estimates that implementation of on-site mitigation measures could reduce the level of HDD-related noise at nearby NSAs by 10 dBA to 15 dBA." FERC Comment: "because the HDD noise levels would exceed 10 dB at most locations and it is unknown whether 24-hour operation would be required at this time, we recommend that: • FSC should file in its construction status reports the following information for each HDD entry site: a.) noise measurements from HDD activities at the nearest NSA, obtained at the start of drilling operations; and b.) documentation of noise complaints and measures FSC has taken to resolve such complaints."</p>	
25	Page 5-1 (page 449 of 905)	5.1 CONCLUSIONS ON THE ENVIRONMENTAL ANALYSIS	<p>Please verify with the Corps that all federally listed species and proposed species survey information they require for their FSC ESA section 7 formal consultation with the Service is adequately provided within the FERC EIS, if they intend to use the FERC EIS as their ESA section 7 consultation supporting document with the Service (i.e. Caracara Conservation Guidelines & Survey Protocol Report,</p>	FSC

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			Everglade snail kite Survey Protocol Report, Florida grasshopper sparrow Survey Protocol Report, Florida scrub-jay Conservation Guidelines & Survey Protocol Report, Red-cockaded woodpecker Survey Protocol Report, Wood Stork Foraging Habitat Assessment Methodology Report, Florida bonneted bat Survey Protocol Report, Blue-tailed mole skink Survey Protocol Report, Eastern indigo snake Conservation Measures, Sand skink Survey Protocol Report, and all endangered plant species survey Reports within the FSC gas pipeline right-of-way, access roads and supporting infrastructure action area. All federally listed species conservation guidelines and survey protocol can be found at the Services Vero Beach Field Office web site at http://www.fws.gov/verobeach/ . FERC Draft EIS: "Our conclusions and recommendations were developed with input from the USACE, which may adopt the EIS per 40 CFR 1506.3 if, after an independent review of the document, they conclude that their permitting requirements and/or regulatory responsibilities have been satisfied. However, the USACE would present its own conclusions and recommendations in its respective and applicable records of decision. Otherwise, the USACE may elect to conduct its own supplemental environmental analysis, if necessary." "We determined that construction and operation of SMP Project would result in adverse environmental impacts."	
26	Page 5-6, (page 454 of 905)	5.1.6 Wildlife and Aquatic Resources Wildlife	Has FERC/FSC documented all the avoidance, minimization, mitigation and conservation measures they are willing to provide in the FERC Draft EIS for all the FSC's related federally listed species impacts, or will their avoidance, minimization, mitigation and conservation measures be more clearly outlined in the Final EIS? The Service recommends that FERC/FSC provide a table that identifies and quantifies the total acres of temporary and permanent habitat impacts for each federally listed species and species proposed for listing, their avoidance, minimization, and mitigation and conservation measures for each of those species and species habitat that the FSC project has the potential to impact (right-of-way, access roads and	FSC

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			associated work areas). Ref. FERC Draft EIS: "The SMP Project would impact wildlife species and their habitats. Impacts from construction include the displacement of wildlife from the right-of-way or work sites into adjacent areas and the potential mortality of some individuals. The cutting, clearing, and/or removal of existing vegetation within the construction work area could also impact wildlife by reducing the amount of available habitat for nesting, cover, and foraging. Construction could also lower reproductive success by disrupting courting, nesting, or breeding of some species, which could also result in a decrease in prey available for predators of these species. These impacts would be temporary, lasting only while construction is occurring, or short-term, lasting no more than a few years until the pre-construction habitat and vegetation type would be reestablished."	
27	Page D-199 - D-206 (page 204 through 211 of 1076) and Page K-19 (page 956 of 1076) and Page K-22 (page 959 of 1076)	TABLE 2.2.1-1, Additional Temporary Extra Workspace for the Southeast Market Pipelines Project,etc.	While reviewing the FSC Proposed New, Improved and Private Access Roads (D-199 - D-206), the Department noticed that numerous "Proposed Improvements" were listed with associated "Construction Areas" (128.5 acres) and "Operation Areas" (5.3 acres). Have all the FSC access roads and their adjacent ESA action areas been surveyed for federally listed species and species proposed for listing? If federally listed and proposed for listing species have been surveyed for at these locations, please provide those FSC's survey reports and FERC's effect determinations to the Service's Vero Beach field office. Ref. FERC Draft EIS Page K-19 (page 956 of 1076), 2.2.3.4, Access Roads, First Paragraph: Text states that "access roads use would temporarily impact about 125.8 acres and permanently impact about 5.3 acres". Ref. FERC Draft EIS Page K-22 (page 959 of 1076), Table 2.3-2: it was also noted that vegetative communities affected by the FSC access roads "Construction Impacts" was 44.4 acres and "Operational Impacts" were 1.6 acres.	FSC
28	Page E-3 (page 537 of 1076)	2.0, Best Available Drilling Practices	Please specify exactly what FERC/FSC hydraulic directional drilling (HDD)-related noise and water mitigation measures will be implemented in the area of Lake Kissimmee to eliminate any potential	FSC

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			disturbance to the Everglades snail kites. Ref. FERC Draft EIS Page 3-262, (page 361 of 905), Table 3.12.2-6, Lake Kissimmee Creek: "Existing Ambient Sound Level = 55.0 dBA, HDD Sound Level = 67.0 dBA, Sound Increase = 12.3 dBA) As shown in table 3.12.2-6, the HDD activities without mitigation have the potential to exceed the FERC noise criterion of 55 dBA Ldn." "Mitigation measures could include mitigation measures that could include use of various temporary noise barriers; use of exhaust silencers; relocation of equipment; or, offer of temporary housing or other compensation. FSC estimates that implementation of on-site mitigation measures could reduce the level of HDD-related noise at nearby NSAs by 10 dBA to 15 dBA." FERC Comment: "because the HDD noise levels would exceed 10 dB at most locations and it is unknown whether 24-hour operation would be required at this time, we recommend that: • FSC should file in its construction status reports the following information for each HDD entry site: a.) noise measurements from HDD activities at the nearest NSA, obtained at the start of drilling operations; and b.) documentation of noise complaints and measures FSC has taken to resolve such complaints."	
29	Page K-3 Last Paragraph (page 940 of 1076)	Southeast Market Pipeline's Project <i>Biological Assessment</i>	Please correct the following error, the Vero Beach Field Office is reviewing the FSC Project not the Panama City Field Office. Ref. FERC Biological Assessment: "and the Panama City Field Office is reviewing the FSC Project."	FSC
30	Page K-17 (954 & 955 of 1076)	2.2.3, Southeast Market Pipelines Project <i>Biological Assessment</i> , 2.2.3.1 Pipeline Right-of-Way	Please verify that all the increased dimensions (over 100 feet) and related acreages been incorporated into FSC's federally listed species and species proposed for listing mitigation and/or conservation measures calculations. Ref. FERC Biological Assessment: "FSC would use a 100-foot-wide construction right-of-way for a majority of the proposed route in upland non-agricultural areas and a 125-foot-wide construction right-of-way in agricultural areas." "Constructing the FSC Project would require the temporary use of about 1,385.5 acres of land." Page K-18 (955 of 1076), Southeast Market Pipelines Project <i>Biological</i>	FSC

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			Assessment, 2.2.3.1 Pipeline Right-of-Way: "In addition to the construction right-of-way, additional temporary workspaces (ATWS) would be required in areas such as those identified in section 2.2.1.1. Most ATWSs would add 25 feet onto the construction right-of-way, effectively creating a 125- to 155-foot-wide work area at the ATWS location. In total, ATWSs would temporarily require about 167.6 acres of land. Table 2.2.1-1 in appendix D of the draft EIS lists each ATWS proposed on the FSC Project. Following construction, ATWSs would be restored to preconstruction conditions in accordance with FSC's Plan and Procedures."	
31	Page K-27 (964 of 1076)	3.1.2, Clearing and Grading	We recommend that all grading language within the FERC EIS state that "The Applicants would segregate at least the top 12 inches of topsoil where 12 or more inches of topsoil is present. In soils with less than 12 inches of topsoil, the Applicants would segregate the entire topsoil layer. During backfilling, subsoil would be returned to the trench first. Topsoil would follow such that spoil would be returned to its original horizon." Additional Comment: Within blue-tailed mole skink and/or sand skink potential habitat the removal and replacement of a minimum of the first 12 inches of topsoil from the full work area and subsoil storage area must be completed. The following Appendix C - TYPICAL RIGHT-OF-WAY CONSTRUCTION DRAWINGS provide examples of where this 12 inch minimum is questionably stated: Additional Comment: In the following drawings replace Notes #1 with the following text: Within Blue-tailed mole skink <i>Eumeces egregius lividus</i> and/or Sand skink <i>Neoseps reynoldsi</i> potential habitat remove a minimum of the first 12" of topsoil from the full work area and subsoil storage area. (Drawing No. 1657-PL-DG-28204, Drawing No. 1657-PL-DG-28205, Drawing No. 1657-PL-DG-28206, and Drawing No. 1657-PL-DG-28215). Additional Comment: In the following drawings replace Notes #2 with the following text: Within Blue-tailed mole skink <i>Eumeces egregius lividus</i> and/or Sand skink <i>Neoseps reynoldsi</i> potential habitat remove a minimum of the first 12" of topsoil from the full work	FSC

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			area and subsoil storage area. (Drawing No. 21040-510-TYP-20039, Drawing No. 21040-510-TYP-20073, Drawing No. 21040-510-TYP-20075, Drawing No. 21040-510-TYP-20076, Drawing No. 21040-510-TYP-20077, and Drawing No. 21040-510-TYP-20078).	
32	Page K-27 (page 964 of 1076)	3.1.2, Clearing and Grading	We recommend prohibiting open burning within Florida sand skink and blue-tailed mole skink habitat. Ref. FERC Draft EIS: "Brush and other materials cleared from the construction corridor would be open burned , chipped/mulched within the construction right-of-way , or hauled offsite to an appropriate disposal location."	FSC
33	Page K-29 (page 966 of 1076)	3.1.6, Hydrostatic Testing	We recommend prohibiting hydrostatic testing water discharge on to potential habitat for blue-tailed mole skink and/or sand skink. Ref. FERC Draft EIS: "Following depressurization, water would be discharged to well-vegetated upland areas after being run through a dewatering structure designed to dissipate energy, retain suspended solids, and encourage infiltration."	FSC
34	Page K-32 (969 of 1076)	3.1.8 Cleanup and Restoration	The FSC portion of the SMP Project should submit their Wood Stork Foraging Habitat Assessment Methodology July 12, 2012 calculations to the USFWS Vero Beach Field Office for review prior to FERC's initiation request for formal ESA consultation. Ref. FERC Draft EIS: "Within 20 days of backfilling the trench (10 days in residential areas) all work areas would be graded and restored to preconstruction contours and natural drainage patterns as closely as possible. "	FSC
35	Page K-32 (969 of 1076)	3.1.8, Cleanup and Restoration	We recommend prohibiting plowing within blue-tailed mole skink and/or sand skink potential habitat. Ref. FERC Draft EIS: "Topsoil and subsoil would be tested for compaction at regular intervals in agricultural areas disturbed by construction activities, and severely compacted agricultural areas would be plowed. "	FSC
36	Page K-32 (969 of 1076)	3.1.8, Cleanup and Restoration	We recommend prohibiting seeding and mulching within blue-tailed mole skink and/or sand skink habitat, and federally listed plant habitat. Blue-tailed mole skink, sand skink habitat and federally listed plant habitat should be allowed to revegetate	FSC

FA3 – U.S. Department of the Interior (cont'd)

O-50

FA3-1
(cont'd)

Comment No.	Page	Section No.	Vero Beach Field Office FSC Comments	Specific Project (i.e., Hillabee, Sabal Trail, FSC)
			naturally. Ref. FERC Draft EIS: "The right-of-way would be seeded within 6 working days following final grading, weather and soil conditions permitting. Alternative seed mixes specifically requested by the landowner or required by agencies may be used. Any soil disturbance that occurs outside the permanent seeding season or any bare soil left unstabilized by vegetation would be mulched in accordance with the Applicants construction and restoration plans."	
37	Draft EIS Page K-42 (979 of 1076)	4.3 FLORIDA SOUTHEAST CONNECTION PROJECT	In addition to surveys along the pipeline alignment, the Department will also need survey reports for federally listed and proposed species within and adjacent to the access road areas. In addition, please note that some federally listed species survey protocol require a larger survey distance than 300 feet; reference federally listed species survey protocol's for appropriate dimensions. The Department recommend implementation of approved protocols. Ref. FERC Draft EIS: "FSC completed general habitat surveys in 2013 and 2014 using a 300-foot-wide survey corridor along the proposed pipeline alignment."	FSC
38	Page K-42 (979 of 1076)	4.3 FLORIDA SOUTHEAST CONNECTION PROJECT	For clarification, the Department's Vero Beach Field Office has not yet initiated section 7 formal consultation pursuant to ESA on the FSC portion of the Southeast Market Pipelines Project Draft Environmental Impact Statement or started to prepare our biological opinion; therefore, it is pre-decisional to make any jeopardy determinations, and none have been made by the Service up to the date of this response. Ref. FERC Draft EIS: "FSC completed sensitive species surveys in 2014 and 2015. Based on survey results and consultation with the FWS, we have determined the project would have <i>no effect</i> on 23 species; <i>is not likely to adversely affect</i> 7 species; <i>is likely to adversely affect</i> 9 species; and <i>is not likely to jeopardize or cause a trend towards federal listing</i> for 4 species. No designated critical habitat would be crossed by the FSC Project."	FSC

FA3 – U.S. Department of the Interior (cont'd)

15-O

FA3-1
(cont'd)

Comment No.	Page	Section No.	Vero Beach Field Office FSC Comments	Specific Project (i.e., Hillabee, Sabal Trail, FSC)
39	Page K-70, 5.4 (1007 of 1076)	FLORIDA SOUTHEAST CONNECTION PROJECT, 5.4.1 Reptiles, Bluetailed mole skink (<i>Plestiodon egregius lividus</i>) and Florida sand skink (<i>Neoseps reynoldsi</i>)	We recommend that 12 inches of topsoil be segregated at all locations where federally listed and proposed for listing species may be "taken", as defined under the ESA. Within blue-tailed mole skink and/or sand skink potential habitat the removal and replacement of a minimum of 12 inches of topsoil from the full work area and subsoil storage area must be completed. The following Appendix C - TYPICAL RIGHT-OF-WAY CONSTRUCTION DRAWINGS provide some examples of where this 12 inch minimum is questionably stated. Please clarify that a minimum of 12 inches will be conserved. Ref. Note #1 on each drawing: Drawing No. 1657-PL-DG-28204, Drawing No. 1657-PL-DG-28205, Drawing No. 1657-PL-DG-28206, Drawing No. 1657-PL-DG-28215, Ref. Note #2 on each drawing: Drawing No. 21040-510-TYP-20039, Drawing No. 21040-510-TYP-20073, Drawing No. 21040-510-TYP-20075, Drawing No. 21040-510-TYP-20076, Drawing No. 21040-510-TYP-20077, and Drawing No. 21040-510-TYP-20078. Ref. FERC Draft EIS: "The top 4 to 6 inches of topsoil (A soil horizon) over the trench line at the 16 occupied (known or presumed) skink sites would be removed and placed at the edge of the right-of-way immediately adjacent to other suitable habitat (present in most cases), allowing skinks to emigrate to this habitat. The remaining trench spoil would be stockpiled immediately adjacent to the segregated topsoil; its height should form a temporary barrier and therefore minimize skink movements back toward the trench. Following pipeline installation, the soils would be backfill, and the segregated topsoil returned to the top soil layer."	FSC
40	Page K-70, 5.4 (1007 of 1076)	5.4, FLORIDA SOUTHEAST CONNECTION PROJECT, 5.4.1 Reptiles, Bluetailed mole skink ...etc.	Please provide specific details on proposed 3 years of post-construction surveys, monitoring and reporting programs being proposed by FERC/FSC for each site for consideration by the Service. Ref. FERC Draft EIS: "Up to 3 years of post-construction monitoring within a portion of the known or presumed occupied skink habitat would be conducted to document skink recolonization within areas of temporary impact."	FSC

FA3 – U.S. Department of the Interior (cont'd)

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FA3-1
(cont'd)

Comment No.	Page	Section No.	Vero Beach Field Office FSC Comments	Specific Project (i.e., Hillabee, Sabal Trail, FSC)
41	Page K-70 (1007 of 1076)	5.4, FLORIDA SOUTHEAST CONNECTION PROJECT, 5.4.1 Reptiles, Bluetailed mole skink (<i>Plestiodon egregius lividus</i>) and Florida sand skink (<i>Neoseps reynoldsi</i>)	We acknowledge your proposed mitigation (below); however, the Department is not able to provide additional feedback on the acceptability of your proposal at this time. The Department is in the process of internal discussion on an appropriate and consistent approach for consultation on blue-tailed mole skink and sand skink. We are currently discussing post-construction monitoring and reporting, depth of A-soil horizon layer segregation, and mitigation ratios. FERC/FSC will be notified by the Service's management when a final decision has been reached in relationship to these issues. Ref. FERC Draft EIS: "To offset temporary habitat impacts and potential injury and harm to skinks, FSC proposes to purchase credits from an approved Florida sand skink conservation bank prior to the initiation of construction. FSC proposes to purchase 14.8 acre-credits for the proposed temporary impacts on the 25.5 acres of occupied skink habitat (a 0.20:1 mitigation ratio)."	FSC
42	Page K-71 (page 1008 of 1076)	5.4, FLORIDA SOUTHEAST CONNECTION PROJECT, 5.4.1, Eastern indigo snake (<i>Drymarchon couperi</i>)	Within the FERC Draft EIS there have been a number of references to initiating ESA section 7 formal consultation; however, because this document is a "Draft" EIS and because the Department has not received all relevant information relating to the FSC federally listed and proposed species, we are unable to initiate formal consultation at this time. Ref. FERC Draft EIS: "Although implementing the avoidance and conservation measures above would minimize adverse impacts on the indigo, the handling and relocation of indigos found within the construction right-of-way would be considered harm under the definition of the ESA. Therefore, we conclude that construction and operation of the FSC Project is likely to adversely affect the Eastern indigo snake, and <u>request formal consultation with the FWS</u> for this species. Per our recommendation at the beginning of section 3.8 of the draft EIS, FSC would not be allowed to commence construction until our consultation with the FWS is complete and the Director of OEP provides written confirmation that construction can commence."	FSC

FA3 – U.S. Department of the Interior (cont'd)

O-53

FA3-1
(cont'd)

Comment No.	Page	Section No.	Vero Beach Field Office FSC Comments	Specific Project (i.e., Hillabee, Sabal Trail, FSC)
43	Page K-75 & K-76 (1012 & 1013 od 1076)	5.4.3, FLORIDA SOUTHEAST CONNECTION PROJECT, 5.4.1, Everglade snail kite (<i>Rostrhamus sociabilis plumbeus</i>)	<p>Please provide information on what HDD-related noise mitigation measures will be implemented in the area of Lake Kissimmee to eliminate any disturbance to the Everglades snail kites. Ref. FERC Draft EIS: "According to the FNAI, the closest record of snail kites to the FSC Project is 8 miles. However, data provided by FWS indicate snail kites have historically nested between MPs 52.9 and 53.5 within the Lake Kissimmee marshlands. Based on field reconnaissance and wetland surveys, the project would affect approximately 127 acres of suitable nesting and foraging habitat for the snail kite." "FSC conducted snail kite surveys within potential snail kite habitat in February and March 2015 according to approved FWS survey protocols. Snail kites were observed at the southern edge of Lake Kissimmee between Mileposts 52.9 and 53.1. At this location, both a male and a female snail kite were observed on the same day, although at different times, and no interaction was observed between the birds. Behavioral observations of the female bird suggested a potential nest site at MP 52.9 within a cluster of willow trees. Because of difficulty reaching the potential nest site, its presence has not been positively confirmed. This potential nest, while located in the project area, is approximately 1,400 feet from any proposed construction activities." "The FWS has established guidelines that recommend activities such as pipeline construction do not occur within 1,640 feet of an active nest. Prior to construction and if construction activities would occur within the snail kite nesting season, FSC would complete snail kite nest surveys near Lake Kissimmee to determine if active nests occur within 1,640 of project work areas. If active nests are found, FSC would postpone construction until young have fledged the nest. FSC also proposes to cross Lake Kissimmee and its adjacent wetland habitat using the HDD crossing method, which would avoid impacts on foraging and nesting habitat."</p> <p>Ref. FERC Draft EIS, Page 3-262, Lake Kissimmee Creek: "Existing Ambient Sound Level = 55.0 dBA,</p>	FSC

FA3 – U.S. Department of the Interior (cont'd)

O-54

FA3-1
(cont'd)

Comment No.	Page	Section No.	Vero Beach Field Office FSC Comments	Specific Project (i.e., Hillabee, Sabal Trail, FSC)
			HDD Sound Level = 67.0 dBA, Sound Increase = 12.3 dBA). As shown in table 3.12.2-6, the HDD activities without mitigation have the potential to exceed the FERC noise criterion of 55 dBA Ldn. "Mitigation measures could include would evaluate the level of noise implement mitigation measures that could include use of various temporary noise barriers; use of exhaust silencers; relocation of equipment; or, offer of temporary housing or other compensation. FSC estimates that implementation of on-site mitigation measures could reduce the level of HDD-related noise at nearby NSAs by 10 dBA to 15 dBA."	
44	Page K-76, 5.4.3 (1013 of 1076)	FLORIDA SOUTHEAST CONNECTION PROJECT, 5.4.1, Florida scrub-jay (<i>Aphelocoma coerulescens</i>)	<p>Please be advised, suitable habitat on the property may not only be the nest sites of scrub-jays, but could be part of the scrub-jay foraging habitat, which is considered by the Service as occupied habitat, because that habitat fulfills the species life history requirements. Per South Florida Ecological Services DRAFT May 28, 2004 Species Conservation Guidelines: "Scrub-jays typically occupy the same areas for many years, and ownership is passed on by mate replacement or inheritance by helpers. Mean territory size is about 9 ha (25 acres), although the size may vary depending on group size and suitability of habitat." We recommend FSC/FP&L consider conservation measures, to compensate for their project's potential to cause further fragmentation of Florida scrub-jay habitat.</p> <p>FERC Draft EIS: "FSC completed acoustic callback surveys for the scrub-jay at various locations along the project route where appropriate habitat was present. The surveys were completed in September and October 2014 and March 2015 using methodologies and locations approved by the FWS. No scrub-jays were observed or heard during the survey efforts. However, an adult pair was observed in early March 2015 near MP 48.8 during surveys for other wildlife species. This pair was not observed during the October 2014 surveys. Subsequent surveys conducted biweekly in April and early May 2015 consistently recorded this pair in the same general location (MPs 48.6 to 48.9); however, no nesting activity was observed nor did the pair exhibit</p>	FSC

FA3 – U.S. Department of the Interior (cont'd)

O-55

FA3-1
(cont'd)

Comment No.	Page	Section No.	Vero Beach Field Office FSC Comments	Specific Project (i.e., Hillabee, Sabal Trail, FSC)
			<p>behavioral patterns consistent with territoriality."</p> <p>"Construction of the FSC Project would impact approximately 36 acres of xeric upland scrub habitat. If construction activities would occur within the nesting season within any scrub-jay habitat (March 1 to June 30), FSC would survey the habitat for nesting signs. Should Florida scrub-jays initiate nesting within an area to be cleared, a 125-ft buffer would be established around the nest tree. The nest buffer would be for the duration of scrub-jay nesting season, until young have successfully fledged, or the nest has failed.</p> <p>While this measure may avoid adverse effects to scrub-jays nesting within the cleared right-of-way, it may not avoid adverse impacts to scrub-jays nesting adjacent to the cleared right-of-way or foraging in the area. Therefore, we have recommended in the draft EIS that FSC avoid construction within occupied scrub-jay habitat during the nesting season (March 1 to June 30), unless preconstruction surveys confirm that scrub-jays do not occupy the project area and FSC receives written confirmation from the Commission that construction activities can occur within this timeframe."</p>	
45	Page K-76, 5.4.3 (1013 of 1076)	FLORIDA SOUTHEAST CONNECTION PROJECT, 5.4.1, Wood stork (<i>Mycteria americana</i>)	<p>Please have the Applicant (FP&L FSC) provide the Service their Wood Stork Habitat Assessment Methodology calculations to support their stated mitigation for wood stork foraging habitat impacts. These calculations will provide the Service with a comparative assessment between impacts to wood stork foraging habitat from the FSC Project and their stated habitat mitigation measures. The Wood Stork Foraging Habitat Assessment Methodology can be found at http://www.fws.gov/verobeach/ListedSpeciesBirds.html) FERC Draft EIS: "The FSC Project currently passes through six wood stork core foraging areas. Preliminary helicopter surveys were conducted for colonial nesting water birds in 2014. Wood storks were observed foraging in wetlands during the surveys." "No nesting wood storks were identified during the survey." "Because no known nesting colonies would be impacted by the FSC Project,</p>	FSC

FA3 – U.S. Department of the Interior (cont'd)

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FA3-1
(cont'd)

Comment No.	Page	Section No.	Vero Beach Field Office FSC Comments	Specific Project (i.e., Hillabee, Sabal Trail, FSC)
			potential impacts on the wood stork would be limited to the temporary harassment or displacement from foraging habitat and the temporary alteration of foraging habitat during construction and restoration activities." "Because wood storks are capable of traveling long distances in search of food, use a variety of wetland habitats, and ample amounts of foraging habitat are available in the project area, the temporary displacement of storks into other suitable foraging habitats is not expected to result in adverse impacts on wood storks."	
46	Page K-77 through K-79	FLORIDA SOUTHEAST CONNECTION PROJECT, 5.4.1, Plants	Please provide copies of your survey reports for all federally listed plant species, including GPS locations of all federally listed plants, numbers of federally listed plants at each location, and avoidance and minimization measures you intend to incorporate into your FSC proposed project to avoid, minimize and conserve federally listed plants within the FSC Project right-of-way, access roads and associated work areas. Ref. FERC Draft EIS: As currently proposed the construction of the FSC Project would result in the destruction of the following plant species within the FSC Project construction workspaces: "Florida bonamia (Bonamia grandiflora) near MP 9.0, Lewton's polygala (Polygala lewtonii) near MP 8.9, Papery whitlow-wort (Paronychia chartacea spp. Chartacea) between MPs 8.0 and 35.6, Scrub buckwheat (Eriogonum longifolium var.gnaphalifolium) between MPs 8.9 and 9.0, Scrub mint (Dicerandra frutescens)MPs 8.9 and 9.0, and Small's jointweed (Polygonella myriophylla) near MP 35.5'".	FSC
47	Page K-80 & K-81 (1017 & 1018)	6.0 CONCLUSION, Table 6-1 Summary of Effects to Federally Listed Species for the Southeast Market Pipelines Project, Florida Southeast Connection	The Department requests copies of <u>all</u> federally listed and proposed species survey reports for the Florida Southeast Connection Project. The Service will review and consider that information while preparing our biological opinion to determine if we concur/agree with the effect determinations presented within FERC's Draft EIS for the Florida Southeast Connection Project.	FSC

FA3 – U.S. Department of the Interior (cont'd)

O-57

FA3-1
(cont'd)

Comment No.	Page	Section No.	Vero Beach Field Office FSC Comments	Specific Project (i.e., Hillabee, Sabal Trail, FSC)
		Project: Comment		
48	3-101	3.7.2.8	Paragraph referring to method of crossing Hillabee and Tallapoosa rivers is contradictory. The paragraph states that these rivers will be HDD and later states that they will be open-cut. Please clarify.	Hillabee
49	3-91,92		Monitoring of vegetation within the right of way is only planned for two years, however it has been discussed that this would be implemented for more than the 2 years.	Sabal Trail
50	3-94		There is mention that there is a plan to prevent introduction of invasive species, but don't see reference to the plan in the document or appendix. Please provide.	Sabal Trail
51	3-101	3.7.2.6	Blasting plan is mentioned in several sections of the DEIS however there doesn't seem to be a plan in the appendix. Please provide.	Sabal Trail
52	3-104	3.8.1	Need to include Alabama and Georgia Field Offices when referring to reviewing the Sabal Trail Project	Sabal Trail
53	3-104	3.8.1	Need to change Panama City Field Office with South Florida Field Office when referencing the FSC project.	Sabal Trail
54	3-107	3.8.1	When getting approval on Florida scrub-jay related issues the applicant should get confirmation from the FWS, not FWC.	Sabal Trail
55	3-107	3.8.1	Need to include conservation measures included in the BA for sand skink and eastern indigo snake in this section	Sabal Trail
56	5.2	5-18	Need to include conservation measures included in the BA for sand skink and eastern indigo snake in this section	Sabal Trail
57	3.6.4	3-97	Migratory Bird Conservation Plan should be included as a appendix to the DEIS	Sabal Trail
58	App K	K-61	Relocation or handling of eastern indigo snakes should not take place without specific federal permits. Snakes should be allowed to move out of the project site on their own before construction continues.	Sabal Trail
59	App K	K-70	It incorrectly states that 25.5 acres will be impacted it should read 74.2 acres	Sabal Trail
60	General		Since phase construction will occur along the Hillabee Project, some areas along the pipeline may	Hillabee

FA3-1 (cont'd)	Comment No.	Page	Section No.	Vero Beach Field Office FSC Comments	Specific Project (i.e., Hillabee, Sabal Trail, FSC)
				need to be resurveyed if the duration of the species surveys has passed.	
	61	General		Candidate and at risk species may need to be reevaluated in the formal consultation if the status of these species changes and they have become federally listed species before the project is complete.	All projects
	62	App K	K-59	Need to include conservation measure to conduct post monitoring of selected areas of sand skink habitat by either pedestrian or coverboard surveys to document recolonization of sand skinks post construction.	Sabal Trail

FEDERAL AGENCIES

FA4 – U.S. Representatives Bishop, Lewis, Johnson, and Scott

20151026-0167 FERC PDF (Unofficial) 10/26/2015

CP 15-17

Congress of the United States
Washington, DC 20515

October 23, 2015

OFFICE OF
EXTERNAL AFFAIRS

2015 OCT 26 A 8:54

FEDERAL ENERGY
REGULATORY COMMISSION

Norman C. Bay, Chairman
Tony Clark, Commissioner
Cheryl A. LaFleur, Commissioner
Phillip D. Moeller, Commissioner
Colette D. Honorable, Commissioner
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: Sabal Trail Transmission, LLC
FERC Docket No. CP15-17-000

Dear Commissioners:

We are writing to express our concerns regarding Sabal Trail Transmission, LLC's ("Sabal Trail") application for a certificate of public convenience and necessity to construct a 516-mile-long, 36-inch-diameter natural gas pipeline through Alabama, Georgia, and Florida. If approved, approximately 160 miles of the pipeline would traverse nine counties in southwest Georgia, five of which are located in Georgia's Second Congressional District represented by Congressman Sanford Bishop.

FA4-1

We are especially concerned about the proposed location of the pipeline and an accompanying compressor station in Albany, Georgia, which is located in Dougherty County. The proposed location raises serious environmental justice issues that have not been fully addressed by FERC in its Draft Environmental Impact Statement (DEIS) for the project.

The population of Dougherty County and the City of Albany is approximately 72% African-American. The median household income is only \$28,871 for a family of four. Approximately 32% of the population lives below the poverty line. The unemployment rate also is higher than the state average.

In the southern part of Dougherty County, the communities are overburdened by pollution with 259 hazardous waste facilities, 78 facilities producing and releasing air pollutants, 20 facilities releasing toxic pollutants, and 16 facilities releasing pollutants into the waters of the United States. Cancer rates and cancer-related deaths are higher in southwest Georgia than in the rest of the state.

Sabal Trail's proposed pipeline and compressor station will further burden an already overburdened and disadvantaged African-American community in this area. Sabal Trail's proposed route will go through Albany and Dougherty County and will run through low-income African-American neighborhoods. The proposed industrial compressor station facility would sit

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2015-245

FA4-1

The Commission has responded directly to this comment.

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FA4 – U.S. Representatives Bishop, Lewis, Johnson, and Scott (cont'd)

20151026-0167 FERC PDF (Unofficial) 10/26/2015

Norman C. Bay, et al.
October 23, 2015

FA4-1
(cont'd)

right in the middle of an African-American residential neighborhood comprised of two large subdivisions, a mobile home park, schools, recreational facilities, and the 5,000-plus member Mount Zion Baptist Church, a predominantly African-American congregation. The statement in FERC's DEIS that the compressor station would not be located in an environmental justice community is not correct. In fact, FERC acknowledges in its DEIS that 71% of environmental justice populations would be affected by the Sabal Trail Project and that the percentage of environmental justice populations in Dougherty County is 85% (see DEIS at p. 3-217).

The compressor station would occupy several acres, have a height of six stories, and have two 21,000 horsepower turbines running 24 hours a day every day of the week. It would be lit up all night long, emit thousands of tons of pollutants into the air each year, and constitute a non-stop source of noise and vibration. The undisputed evidence in the record shows that this massive compressor station would emit so much pollution that it would further contribute to the City of Albany exceeding the National Ambient Air Quality Standards under the federal Clean Air Act for nitrogen oxides.

In addition, studies have documented that noise pollution causes adverse health effects including vibro-acoustic disease, hypertension, heart disease, hearing impairment, communication problems, sleep disturbance, and adverse cognitive effects including memory loss and behavioral problems. The nitrogen oxides and volatile organic chemicals that the compressor station would emit are known to harm respiratory, cardiological, neurological, and kidney functions as well as cause premature death. Even small levels of nitrogen oxides can cause nausea, irritation of the eyes and nasal passages, fluid in the lungs, and shortness of breath. The area already has among the highest incidences of stroke, heart disease, diabetes, cancer, and obesity. This residential area therefore is the last place where such a facility should be placed, and it most certainly should not be located near a disadvantaged African-American neighborhood that has already borne more than its fair share of pollution.

Furthermore, the proposed pipeline route and compressor station location would lie in a limestone karst-laden area that is highly prone to the development of sinkholes—a fact highlighted in the DEIS. Indeed, the pipeline route through Dougherty County alone features nearly 70 actual and potential sinkholes. Of even greater concern is the fact that the pipeline will run through Albany's well field that is already pockmarked with over 40 sinkholes. The well field provides drinking water for 35,000 of the City's residents. The development of a sinkhole beneath the pipeline or compressor station would create a substantial risk of pipeline collapse, rupture, and explosion that could cause untold property damage, bodily injury, and death. Given the demographics of Albany and Dougherty County, such an event would adversely impact African-Americans living there. The potential for a catastrophic explosion is not a speculative concern in light of the many pipeline accidents that have occurred in recent months including an explosion on a Spectra natural gas pipeline beneath the Arkansas River earlier this year and a compressor station explosion that killed three people in Louisiana earlier this year.

FA4 – U.S. Representatives Bishop, Lewis, Johnson, and Scott (cont'd)

20151026-016 FERC PDF (Unofficial) 10/26/2015

Norman C. Bay, et al.
October 23, 2015

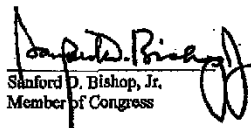
FA4:1
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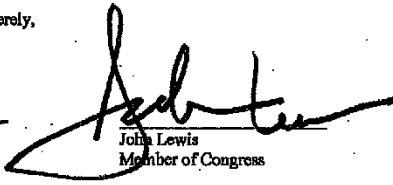
As you may be aware, 18 C.F.R. § 380.15 requires that any compressor station be located in an "unobtrusive location." It is clear to us that placing Sabal Trail's proposed compressor station in the heart of an African-American residential neighborhood hardly qualifies as an unobtrusive location. Moreover, in accordance with Presidential Executive Order 12,898 ("Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations"), FERC is obligated to address environmental justice issues that may be raised by Sabal Trail's proposed pipeline project with respect to minority and low-income communities (Exec. Order No. 12,898, 59 Fed. Reg. 7629 (Feb. 11, 1994)). Proper application of that Order mandates moving the proposed pipeline route and compressor station location.


Apart from the above legal considerations, common sense would suggest that a pipeline carrying a highly flammable substance and a massive polluting industrial facility should not be placed in any residential community, much less an environmental justice community. It should be more evident when the underlying karst geology creates a significant risk of substantial harm and when other alternative routes and locations exist. It would be reasonable to slightly alter the route of the pipeline outside the largest urban area in southwest Georgia and to move the compressor station to a more rural location given that much of the surrounding area is comprised of agricultural land. Surely this modification can be done for a pipeline that would run for 160 miles through southwest Georgia.

It is essential that FERC require Sabal Trail to abandon its proposed pipeline route and compressor station location and to propose alternatives that will not adversely impact environmental justice communities in southwest Georgia. We would greatly appreciate your attention to this matter and would request a prompt written response.

Sincerely,


Sanford D. Bishop, Jr.
Member of Congress


John Lewis
Member of Congress


Henry C. "Hank" Johnson, Jr.
Member of Congress


David Scott
Member of Congress

NATIVE AMERICAN TRIBES

NAT1 – Choctaw Nation of Oklahoma

20151020-0028 FERC PDF (Unofficial) 10/20/2015



Choctaw Nation of Oklahoma

Historic Preservation

P.O. Box 1210 • Durant, OK 74702-1210

Gary Batton
Chief

Jack Austin, Jr.
Assistant Chief

October 15, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

ORIGINAL

RE: OEP/DGZE/Gas Branch 3, Florida Southeast Connection, LLC, Transcontinental Gas Pipe Line Company, LLC, Sabal Trail Transmission, LLC; Docket Nos. CP14-554-000, CP15-16-000, CP15-17-000

Dear Ms. Bose,

NAT1-1

The Choctaw Nation of Oklahoma thanks FERC for the correspondence regarding the above referenced project. The portions of the Hillabee Expansion Project lying in Choctaw and Dallas Co.'s, AL are within the Choctaw Nation's area of historic interest. The Choctaw Nation of Oklahoma has reviewed the information for the Hillabee Expansion project and we concur with the findings that have been presented.

The Sabal Trail project lies outside of the Choctaw Nation's area of historic interest. The Choctaw Nation Historic Preservation Department respectfully defers this project to the other Tribes that have been contacted.

If you have any questions, please contact our office.

Sincerely,

Dr. Ian Thompson, Ph.D., RPA
Tribal Historic Preservation Officer
Tribal Archaeologist, NAGPRA Specialist

By: Lindsey D. Bilyeu
Senior Section 106 Reviewer
lbilyeu@choctawnation.com
Choctaw Nation of Oklahoma
P.O. Drawer 1210
Durant, OK 74701

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NAT1-1 Comment noted.

NATIVE AMERICAN TRIBES

NAT2 – Seminole Tribe of Florida

20151021-4002 FERC PDF (Unofficial) 10/21/2015

SEMINOLE TRIBE OF FLORIDA
TRIBAL HISTORIC PRESERVATION OFFICE
AH-TAH-THI-KI MUSEUM

TRIBAL HISTORIC
PRESERVATION OFFICE
SEMINOLE TRIBE OF FLORIDA
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October 8, 2015

Mr. John Peconom
Environmental Project Manager
Federal Energy Regulatory Commission
Office of Energy Projects
825 N. Capitol Street,
N.E. Washington, DC
Tel: (202) 502-6352
Email: john.peconom@ferc.gov

Subject: FERC Southeast Market Pipelines Draft Environmental Impact Statement
THPO#: 0013801

Dear Mr. Peconom,

The Tribal Historic Preservation Office of the Seminole Tribe of Florida (STOF-THPO) thanks you for providing the Tribe an opportunity to comment on the *Southeast Market Pipelines Project Draft Environmental Impact Statement (EIS)*. Our initial review of the document identified several points of misunderstanding that require immediate attention. We will provide comprehensive comments on the draft EIS prior to the requested deadline.

NAT2-1 Section 3.11.4.3 of the draft EIS addresses cultural resources in the *Florida Southeast Connection* segment of the *Southeast Market Pipelines* project. In this section, it is stated that the Seminole Tribe of Florida "responded that the project was outside of their area of concern." Furthermore, it is stated in the same section that "FSC met with the Seminole Tribe of Florida on November 15, 2014 in order to review the project's location through GIS shapefiles; the Tribe confirmed that the project does not cross over any areas of concern to them." These statements are in conflict with our standard consultation policy which includes the entire state of Florida in our area of interest. If FERC has documentation that verifies these statements, please provide copies to the STOF-THPO.

We believe that the GIS review meeting and our response to FERC's initial request for Tribal input were to assist FERC in identifying any specific areas/sites of unique significance to the Tribe, as the Tribe has specialized expertise in identifying and assessing properties of religious and cultural significance to the tribe. Although no specific sites of religious and cultural significance were identified during this meeting, the Tribe was anticipating continued consultation regarding the treatment of any previously identified or newly identified cultural resources impacted by this project in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR Part 800).

NAT2-1

The text of the EIS has been updated to clarify that the Seminole Tribe of Florida's standard consultation policy covers the entire state of Florida, and further that we will consult with the tribe regarding sites of religious and cultural significance.

NAT2 – Seminole Tribe of Florida (cont'd)

20151021-4002 FERC PDF (Unofficial) 10/21/2015

NAT2-2 The draft EIS indicated that the STOF-THPO was not provided an opportunity to comment on the project following the November 15 meeting (which occurred in 2013 instead of 2014). A review of our records verifies the failure of FERC to consult during this period. Please provide the STOF-THPO with all cultural resource assessment reports conducted as part of this project and any additional pertinent documents. Please do not hesitate to contact us if you have any questions or wish to discuss this further.

Respectfully,



Andrew J. Weidman, MA, RPA
STOF-THPO, Compliance Review Specialist
30290 Josie Billie Hwy, PMB 1004
Clewiston, FL 33440
Office: 863-983-6549 x12216
Email: andrewweidman@seminoletribe.com

Cc: Paul Backhouse, PhD., Tribal Historic Preservation Officer, STOF-THPO
Anne Mullins, Deputy Tribal Historic Preservation Officer, STOF-THPO
Bradley Mueller, Compliance Review Supervisor, STOF-THPO
Kim Taplin, Tribal Liaison, USACE Jacksonville District
Wendy Weaver, Regulatory Archaeologist, USACE Jacksonville District
Mark R. Evans, Senior Project Manager, USACE Jacksonville District
Ellen Armbruster, Project Archaeologist, FERC

NAT2-1

We asked FSC and Sabal Trail to provide the Seminole Tribe of Florida with all applicable cultural resources reports and plans prepared for their respective projects. The text of the FEIS regarding the November 15 meeting has been corrected to "2013."

LOCAL AGENCIES/ELECTED OFFICIALS

LA1 – Roger B. Marietta, Commissioner, City of Albany

Roger Marietta, Albany, GA.

I am very disappointed that your staff failed to honor any of our concerns:

- LA1-1 | 1) Your staff seems more concerned about tortoises than humans - especially African Americans.
- LA1-2 | 2) Your staff assumed that all noise tests were perfect even though we had good evidence that the noise will carry further than Sabal claims.
- LA1-3 | 3) Your staff discounted the future health and wellness of 50 families and dozens of children in the Country Side Mobile Home Park.
- LA1-4 | 4) Your staff failed to consider the possible diminished property values of the surrounding subdivisions.
- LA1-5 | 5) Your staff failed to consider the concerns of MT. Zion Church presumably because it is majority African American.
- LA1-6 | 6) Your staff did not appear to have the slightest concern for the water supply of the City of Albany, even though the Sabal trenches will cut through the inner management zones of our major well field.

- LA1-1 | Section 3.10.4 addresses environmental justice. As discussed in section 3.10.4.2, racial minorities (which includes African Americans/Black) were identified as an environmental justice population.
- LA1-2 | The commentor's concerns about the ambient noise surveys (tests) and noise propagation calculations are noted. However, the noise analysis discussed in section 3.12.2 of the EIS evaluated the noise attributable to the compressor stations (not including background from other sources) for demonstration with the Commission's 55 dBA Ldn guideline. As such, the background does not affect that part of the noise analysis. The analysis also evaluated the noise increase (over ambient). For this part of the review, a lower ambient noise level would result in a larger increase. As such, using lower existing conditions would estimate higher noise increases. For the noise analysis, the calculations are based on noise propagation and minimal, basic losses from things like ground cover. As such, we determined that these analyses are sufficient to demonstrate that the noise from the compressor station would not adversely affect the nearby noise sensitive areas. Recommendation #28 in section 5 would require Sabal Trail to complete a noise survey once the compressor station is operational to ensure that the noise levels meet the Commission's noise guideline.
- LA1-3 | Potential health effects of air emissions from the proposed compressor stations are discussed in section 3.12.1.3.
- LA1-4 | Section 3.10.2.6 (which cross references to section 3.10.1.6) discusses the impact on property values as a result of natural gas pipeline projects.
- LA1-5 | As identified in section 3.10.4, based on census tract data, environmental justice populations were identified and impacts considered within 1-mile area around the project facilities. The commentor's presumption that we failed to consider the concerns of Mount Zion Church because it is majority African American is incorrect. In fact, the EIS specifically notes that the Mount Zion Church is located 1.4 miles from the proposed compressor station and that the station would be unseen and unheard by church goers. Section 3.10.4 concludes that the Sabal Trail Project would not disproportionately impact environmental justice populations in Dougherty County.
- LA1-6 | See sections 3.1 and 3.3 of the EIS; section 3.3.1.7 specifically includes a detailed discussion of the City of Albany well field and explains why construction and operation of the project would not pose a significant risk to groundwater resources or the City of Albany well field. See also the response to comments FA2-5, FA2-27, FA2-30, and FA2-33.

LOCAL AGENCIES/ELECTED OFFICIALS

LA2 – Roger B. Marietta, Commissioner, City of Albany

99-O

LA2-1

Roger Marietta, Albany, GA.

Sabal Trail has no response to this news story that shows a gas compressor station one fourth the size of the one planned for Albany, Georgia is destroying human health as far as one and one half miles away.

Gas Compressors and Nose Bleeds

A new study connects health issues with rural gas compressor pollution.

Fall 2015

<http://www.utne.com/environment/gas-compressors-and-nose-bleeds-zm0z15fzsau.aspx>

By Jessica Cohen, special to Utne Reader

To attain permits, pipeline companies use analysts who manipulate projected emissions levels to make them acceptable by Environmental Protection Agency standards.

In rural Minisink, NY, air contaminants from the Millennium Pipeline gas compressor now exceed what would be found even in a big city, says environmental health consultant David Brown. After dozens of Minisink residents found they were beset by similar ailments immediately after the compressor station was built in 2013, a two-month study of air contaminants and residents' symptoms was conducted by Brown and his cohorts at Southwest Pennsylvania Environmental Health Project. The nonprofit group of public health experts, based in McMurray, PA, have been investigating a comparable pattern of symptoms near gas drilling sites in Pennsylvania and other states.

In the Minisink study, recently released, they found that spikes in air toxins around the compressor coincided with residents' adverse health symptoms. The study involved 35 residents, who were surveyed using a well-tested survey method, including interviews by a physician. SWP-EHP also provided five Speck monitors to measure fine particulate matter in air near residences for the two months, from October 19 to December 17 of 2014. Participants additionally used special canisters to capture air samples during "odor events," periods when the compressor emitted strong odors.

Asthma, nosebleeds, headaches, and rashes were common among the 35 participants in eight families living within one mile of the compressor. Those symptoms are also frequently reported around gas fracking sites, said Brown.

Six of the 12 children studied had nosebleeds, which Brown attributed to elevated blood pressure or irritation of mucous membranes by formaldehyde, a carcinogen found in excess around compressors in a recent SUNY Albany study.

More from Minisink, NY

The Real Cost of Fracking | A Small Town and the Effects of Air Pollution

Of particular concern were elevations of fine particulate matter (PM 2.5).

During the monitoring period, average PM 2.5 was 17 to 20 micrograms per cubic meter (ug/M3)—three times the regional average of 6.3. So it was regularly beyond the Environmental Protection Agency limit of 12. Multiple episodes of peaks into the hundreds, as

LA2-1

Potential health effects of air emissions from the proposed compressor stations are discussed in section 3.12.1.3.

LA2 – Roger B. Marietta, Commissioner, City of Albany (cont'd)

Z-67

LA2-1
(cont'd)

high as 426, were also recorded by Speck monitors. "One home had a 24-hour period with an average of 64ug/m3," said Brown.

A study published in June by Harvard epidemiologist Joel Schwartz and his colleagues identified the dangers of PM 2.5 even above 6. Each increase of one microgram per cubic meter increases the mortality rate by 1 percent for people over 65, they found. They used Medicaid mortality statistics in conjunction with satellite readings of PM 2.5 in New England for the research.

High PM 2.5 levels also double the risk of a newborn having autism if the mother is exposed during her third trimester of pregnancy, according to a study published in Environmental Health Perspectives in December 2014 by Harvard epidemiologist Marc Weisskopf and his colleagues.

Schwartz attributes the effects of PM 2.5, particularly respiratory disease and heart attacks, to the inflammation it generates throughout the body. Inflammation of arterial plaque stimulates white blood cells to infiltrate the plaque, making it less stable and more likely to rupture, causing a heart attack, Schwartz says. "Even in a big city like New York, you wouldn't see these peaks in particulate matter nor have the same chemicals in the air," said Brown.

Several kinds of volatile organic compounds (VOCs) were captured in canisters by residents during odor events. "The levels of reported VOCs were not high in terms of health effects for a single chemical exposure, but are still of concern if these exposures occur over a long period of time or if high spikes periodically occur," according to the report.

Brown would like to get data about what exactly is being done at the compressor. "They keep records," he says. "But everyone is so secretive, protecting their business interests."

To attain permits, pipeline companies use analysts who manipulate projected emissions levels to make them acceptable by Environmental Protection Agency standards, Brown says. Those standards are also weakened by industry lawsuits when the EPA tries to tighten them. "They delude themselves about emissions safety," says Brown.

Pramilla Malick, who lives a half mile from the compressor, participated in the study. She recalls how Minisink residents were told the compressor would emit only "water vapor" by representatives from AECOM, the company who did the emissions analysis for the compressor. She notes that the CEO of AECOM, Daniel Tishman, was chairman, and is now vice chairman, of the Natural Resources Defense Council board of trustees. "I'm tired of this dupliciousness," she says.

She points to the opportunity for public health safety that was denied by Millennium. "They could easily eliminate these issues with an electric compressor," as opposed to the high emissions gas-fueled compressor, she says. But the electric one would cost the company more initially. "Why are economic considerations allowed to be a priority? People are getting sick," says Malick.

She has led opposition both to the compressor and to plans to build a Competitive Power Ventures gas power plant in Wawayanda, seven miles away. The plant would produce multiple amounts of the same emissions.

LOCAL AGENCIES/ELECTED OFFICIALS

LA3 – Roger B. Marietta, Commissioner, City of Albany

89-O

LA3-1 Roger Marietta, Albany, GA.
the Sabal Trail pipeline corporation and the draft FERC EIS puts gopher tortoises at a higher
priority than human beings - that is indefensible at any level.

LA3-1 As described in section 1.2, one of our principal purposes in preparing this EIS was to identify and assess potential impacts on the natural and human environment that would result from constructing and operating the SMP Project. Our analysis considered impacts on the public, and assessed appropriate measures to avoid or further reduce/minimize impacts.

LOCAL AGENCIES/ELECTED OFFICIALS

LA4 – Roger B. Marietta, Commissioner, City of Albany

Roger Marietta, Albany, GA.

- LA4-1 I am concerned about news reports from New York State that show that a compressor station 1/4 of the one planned for Albany is giving nose bleeds to young children through venting and burning of methane. Further it lowers property values and causes noise pollution. It disgusts me that FERC values gopher tortoises over human lives in the community around the pipeline compressor. It is embarrassing that Sabal Trail Pipeline Corp refuses to move its compressor station a couple miles west of Albany because they would have to build a 1.2 mile paved road.
- LA4-2, 3
- LA4-4
- LA4-5

- LA4-1 Potential health effects of air emissions from the proposed compressor stations are discussed in section 3.12.1.3.
- LA4-2 Section 3.10.2.6 addresses property value impacts associated with the Sabal Trail Project.
- LA4-3 Section 3.12.2 addresses noise impacts associated with the Sabal Trail Project and Albany Compressor Station.
- LA4-4 See the response to comment LA3-1.
- LA4-5 Section 4.4.2.1 describes our analysis of six alternative sites for the Albany Compressor Station and concludes that none offer a significant environmental advantage over Sabal Trail's proposed site. In addition, section 1.3 notes that Sabal Trail abandoned its originally proposed site along Newton Road due to community concerns. As indicated in the docket in this proceeding, these concerns included proximity to the Albany well field, a fire station, and church; visual impacts from Newton Road, considered to be a "gateway" into Albany; potential effects from being along the flight path into the Albany airport; and proximity to environmental justice populations (the Newton Road site is located within a designated environmental justice census tract).

LOCAL AGENCIES/ELECTED OFFICIALS

LA5 – Roger B. Marietta, Commissioner, City of Albany

O-70

Roger Marietta, Albany, GA.

- LA5-1 | The UTNE Reader in New York state refers to a scientific study that showed autism rates double within 1 mile of a 13,000 HP Compressor Station. Mortality rates for over 65 years old increase. Formaldehyde is a byproduct chemical given off when the Compressor vents along with the poisonous methane causing cancer, asthma, headaches, nosebleeds, and rashes.
- LA5-2 | The Sabal Trail Compressor Station planned for Albany is 4 times larger at 43,000 HP and will impact people for 4 miles in radius with the same ailments. Please require Sabal Trail to move their pipeline and compressor station 4 miles to the west of our city limits out into the country where people are few. Pages 48 to 53 of the Draft EIS mention that alternatives were considered too expensive due to Sabal having to build a road. Autism and cancer cost our society far more.

- LA5-1 | Potential health effects of air emissions from the proposed compressor stations are discussed in section 3.12.1.3.
- LA5-2 | Section 4.4.2.1 of the EIS considers numerous factors in analyzing six alternatives to the proposed Albany Compressor Station site and concludes that none offer a significant environmental advantage over the proposed location. Cost was not a factor in the analysis. Section 3.12.1.3 discusses potential health effects of air emissions from the proposed compressor station.

LOCAL AGENCIES/ELECTED OFFICIALS

LA6 – Roger B. Marietta, Commissioner, City of Albany

LA6-1

LA6-2, 3

LA6-4

Roger Marietta, Albany, GA.

This Sabal Trail Pipeline Route not only endangers people and their long term health, but it also endangers wetlands which it cuts through. The trench for the pipe will break through the clay subsurface and end up draining wetlands, collapsing wells, and breaking apart in Karst terrain where sinkholes are common.

- LA6-1

LA6-2

LA6-3

LA6-3
- Potential health effects of air emissions from the proposed compressor stations are discussed in section 3.12.1.3.

The Applicants have developed construction plans that would require sealing the wetland boundaries and/or bottom of the trench in wetlands if the trench could impact wetland hydrology. These plans are discussed in 3.4.2.1 and incorporated by reference in sections 2.3.2. Further, we note that the Applicant's construction plans require annual monitoring of wetlands until restoration is considered complete.

See the response to comments FA2-27 and LA1-6.

See the response to comment FA2-27. Section 3.1.2.3 of the EIS includes a detailed description of karst geology and explains the basis for our conclusion that operation of the proposed facilities in karst areas would not pose a significant risk to public safety.

LOCAL AGENCIES/ELECTED OFFICIALS

LA7 – Roger B. Marietta, Commissioner, City of Albany

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ORIGINAL

CP15-17



ROGER B. MARIETTA
COMMISSIONER WARD FOUR

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FILED
SECRETARY OF THE
COMMISSION

2015 OCT 13 A 9 55

FEDERAL ENERGY
REGULATORY COMMISSION

City of Albany

POST OFFICE BOX 5521
Albany, Georgia
31706-5521

Honorable Kimberly Bose
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

October 5, 2015

Dear Secretary Bose,

I hope you will reject the proposed Sabal Trail Pipeline route as too destructive of our wetlands.

- LA7-1 1) The route northwest of the proposed Compressor Station location on West Oakridge goes through numerous wetlands that have been cleared and or lumbered. It appears that the purpose of these operations is to disguise the fact that these lands are wetlands.
- LA7-2 2) The proposed Compressor Station is located on wetlands as well, and nearly on top of one of the
- LA7-3 City of Albany's wells.
- LA7-4 3) The 36" pipeline requires a 15 to 20 foot trench that will serve to drain these wetlands as the trench punches through clay holding soils above Karst soil.
- LA7-5 4) Finally, the proposed route takes the Sabal Trail Pipeline through the City of Albany's well
- LA7-6 fields inner management zones which could collapse some of the wells. This will also disturb the wetlands surrounding the well fields' outer management zones.

Please reject Sabal Trail's application (CP15-17-000) and proposed route and compressor station location. We request a public hearing on your decision.

Thanks,

Roger Marietta
City Commissioner Ward 4
City of Albany

- LA7-1 It is unclear where the referenced tree clearing was observed relative to Sabal Trail's proposal. However, Sabal Trail commented on the docket in this proceeding that it has not initiated tree clearing.
- LA7-2 Sabal Trail has designed the proposed facility to avoid impacting wetlands on the site.
- LA7-3 As indicated in section 3.3.1.7 of the EIS, as indicated in the City of Albany Wellhead Protection Plan, the nearest City well to the proposed compressor station site is Well #135, which is 2.2 miles from the compressor station site. The Wellhead Protection Plan also indicates that the compressor station would be located outside of the outer management zone for Well #135. We have received no comments to document that the compressor station would be "nearly on top" of a municipal well.
- LA7-4 See the response to comment LA6-2.
- LA7-5 See the response to comment CO25-14.
- LA7-6 We acknowledge in Section 3.4.2 of the EIS that the proposed pipeline would impact wetlands, and this includes wetlands within the City of Albany well field management zones. However, the impacts would be minimized and mitigated, and as described in comment CO6-1, the natural gas in the pipeline would not affect water resources.

O-72

LOCAL AGENCIES/ELECTED OFFICIALS

LA8 – Roger B. Marietta, Commissioner, City of Albany

LA8-1

Roger Marietta, Albany, GA.

Please move the proposed West Oakridge Albany GA Compressor Station and pipeline 5 miles away from the city limits. It won't cost Sabal Trail much compared to the billions in profit that they will make and it will keep our citizens safe from harmful gas venting and other environmental issues.

LA8-1

See response to comment LA4-5.

LOCAL AGENCIES/ELECTED OFFICIALS

LA9 – Roger B. Marietta, Commissioner, City of Albany

Roger Marietta, Albany, GA.

LA9-1 | In reference to the Draft EIS, pages 48-53, it is clear that Sabal Trail will not spend any money to protect people from this pipeline and compressor station. The Sabal response that it would be too costly to build a road 1 to 5 miles away from the city limit of Albany is not a good argument and one that is easily rejected. By building the Compressor Station on agricultural lands and sliding the pipeline route to those same agricultural lands, Sabal Trail Corp would actually save money on easements' costs which would pay for any necessary road construction.

LA9-1

See section 4.4.2 and response to comment LA4-5.

LOCAL AGENCIES/ELECTED OFFICIALS

LA10 – Earl Arnett, Commissioner, Marion County, Board of County Commissioners



Marion County Board of County Commissioners

McPherson Governmental Complex

601 SE 25th Ave.
Ocala, FL 34471
Phone: 352-438-2323
Fax: 352-438-2324

District 1 – David Moore, Commissioner
District 2 – Kathy Bryant, Vice Chair
District 3 – Stan McClain, Chairman
District 4 – Carl Zalak III, Commissioner
District 5 – Earl Arnett, Commissioner

October 22, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

RE: Sabal Trail Transmission Project, FREC Docket No. CP15-17-000

Dear Secretary Bose,

LA10-1

As an elected official, I write in support of Sabal Trail Transmission's tri-state natural gas pipeline project. By creating thousands of jobs, the Sabal Trail project will have a positive ripple effect throughout the local economies along the pipeline route.

It will add to the tax base of each state through which the pipeline passes, resulting in better funding for local schools and local communities.

The Sabal Trail pipeline will also provide consumers with affordable, domestic natural gas that will better meet their energy needs. The environment is a crucial concern, and, fortunately, this pipeline will not negatively affect it. Natural gas is a cleaner fuel alternative that will leave a very small carbon footprint and we as a county are in the process of converting our fleet to compressed natural gas.

Lastly, Sabal Trail makes safety a top priority. We know this because they are dedicated to the safe and reliable operation of facilities and the incident rate for their parent company, Spectra Energy, is about half of the industry average over the past five years.

As you review Sabal Trail's application for this important project, I urge you to give every consideration to approving it.

Sincerely,

A handwritten signature in black ink, appearing to read "Earl R. Arnett".

Earl Arnett
Marion County Commissioner

"Meeting Needs by Exceeding Expectations"

www.marioncountyfl.org

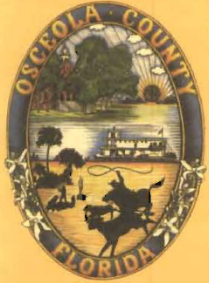
LA10-1

Comment of support noted.

LOCAL AGENCIES/ELECTED OFFICIALS

LA11 – Fred Hawkins, Jr., Commissioner Osceola Board of County Commissioners

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**OSCEOLA
BOARD
OF
COUNTY
COMMISSIONERS**

**Fred Hawkins, Jr.
County Commissioner
District 5**

Office: 407.742.2000
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fhaw@osceola.org

**Osceola
County**

1 Courthouse Square
Suite 4700
Kissimmee, FL 34741

October 23, 2105

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

**Re: Sabal Trail Transmission Project, FERC
Docket No. CP15-17-000**

Secretary Bose:

LA11-1 I am writing you in support of Sabal Trail Transmission's tri-state natural gas pipeline project application filed with the Federal Regulatory Commission as Docket Number CP15-17-000. This is a 515-mile natural gas pipeline that will bring affordable, clean natural gas supplies to Florida.

If the project is approved, local communities along the pipeline's route will see substantial economic growth. Sabal Trail will provide huge increases in tax revenue in each state and will include over \$70 million in total economic output. This project will also create thousands of jobs, not including the indirect construction and community job opportunities that would accompany the pipeline.

Natural gas is recognized by the Environmental Protection Agency as the cleanest of all fossil fuels. Not only would this pipeline meet our growing energy needs, but it would do so in a safe and responsible way. Natural gas transmission pipelines are one of the safest forms of energy transportation. However, out of an abundance of caution, Sabal Trail has put programs in place designed to prevent pipeline failures, detect possible issues, and perform repairs.

Florida's current natural gas transmission infrastructure is not adequate to meet growing energy demands. This project will rectify that problem while also increasing energy security and creating over 5,000 jobs. Please consider these facts when going over Sabal Trail's application and approve this project.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

Fred Hawkins, Jr.
County Commissioner
District 5

LA11-1

Comment of support noted.

LOCAL AGENCIES/ELECTED OFFICIALS

LA12 – Stan McClain, Commissioner, Marion County, Board of County Commissioners



Marion County Board of County Commissioners

McPherson Governmental Complex

601 SE 25th Ave.
Ocala, FL 34471
Phone: 352-438-2323
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District 1 – David Moore, Commissioner
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District 3 – Stan McClain, Chairman
District 4 – Carl Zalak III, Commissioner
District 5 – Earl Arnett, Commissioner

October 22, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

RE: Sabal Trail Transmission Project, FREC Docket No. CP15-17-000

Dear Secretary Bose,

LA12-1 | As an elected official, I am writing today to urge your approval of Sabal Trail Transmission's tri-state natural gas pipeline project application filed with the Federal Regulatory Commission as Docket Number CP15-17-000.

Sabal Trail will have substantial positive impacts on the communities along the pipeline's route. These communities will see significant job growth, as thousands of jobs will be created during the construction phase of this project. In addition, 527 permanent jobs will be in place once the pipeline is finished, 288 of which will be in Florida.

The pipeline will also increase the tax base in each state it passes through by adding capital investment. It will produce \$74 million in total economic output.

We need this pipeline in Florida especially because our current natural gas infrastructure is not adequate to meet the demand of our growing state. This pipeline will bring affordable, clean natural gas supplies to Florida.

Sabal Trail is committed to protecting the environment. The compression stations along the pipeline will have emission rates lower than what is required by federal and state regulations.

When you are reviewing this application, I implore you to take this information into account, and approve the project

Sincerely,

A handwritten signature in blue ink, appearing to read "Stan McClain".

Stan McClain
Marion County Commissioner

"Meeting Needs by Exceeding Expectations"

www.marioncountyfl.org

LA12-1

Comment of support noted.

LOCAL AGENCIES/ELECTED OFFICIALS

LA13 – Roger B. Marietta, Commissioner, City of Albany

FEDERAL ENERGY REGULATORY COMMISSION SOUTHEAST MARKET PIPELINES PROJECT DRAFT ENVIRONMENTAL IMPACT STATEMENT COMMENTS

Comments can be: (1) left with a FERC representative; (2) mailed to the addresses below; or (3) electronically filed.¹

For Official Mail Filing, Send To:

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE, Room 1A
Washington, DC 20426

As applicable, please indicate the project(s) you are commenting on:

- ☒ Sabal Trail Project: Docket No. CP15-17
☐ Florida Southeast Connection Project: Docket No. CP14-554
☐ Hillabee Expansion Project: Docket No. CP15-16
☐ All of the above

COMMENTS: (PLEASE PRINT) [continue on back of page if necessary]

LA13-1 Sabal Trail Pipeline Corporation has been negligent
in their studies of their proposed compressor station.
They really don't know whether or not this 6 story
compressor station will work safely. This proposed
station is 4-time bigger than other stations - its negative
LA13-2 impacts will be quadrupled. What a huge mistake to locate
this compressor station in a minority majority area where
children, schools, and churches are located. Sabal Trail will
LA13-3 lie, cheat and steal to build the cheapest pipeline possible. Make
them build a paved road out into the rural backwoods. Make
them spend the money to protect the citizens of Albany.

Commentor's Name and Mailing Address (Please Print)

Roger Marietta
2008 Robinhood Rd
Albany, GA 31707

¹ The Commission strongly encourages electronic filing of any comments. See instructions on the Commission's web site at <http://www.ferc.gov> under the "e-Filing" link. Before you can file comments you will need to create a free account by clicking on "Login to File" and then "New User Account".

LA13-1 Public safety is a significant consideration in siting natural gas transmission facilities. As detailed in section 3.13, the SMP Project would be designed, constructed, and operated in accordance with DOT PHMSA regulations in 49 CFR 192 that are protective of public safety.

LA13-2 Comment noted.

LA13-3 See the response to comment LA4-5.

COMPANIES AND ORGANIZATIONS

CO1 – Audubon Florida



October 6, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

1101 Audubon Way
Maitland, Florida 32751
Tel: (407) 620-5178
chlec2@earthlink.net

Dear Ms. Bose,

On behalf of Audubon Florida, I am writing today in regard to the Sabal Trail Transmission Project, FERC Docket No. CP15-17-000, which will provide transportation services for power generation needs to Florida Power & Light and Duke Energy beginning May 2017.

Audubon Florida, recognizes that natural gas generates far fewer emissions than coal and oil and is an important part of a national strategy to reduce carbon emissions.

Audubon Florida has reviewed the proposed route, and worked with Sabal Trail on route modification and environmental mitigation measures for portions of its 515-mile interstate natural gas pipeline in Florida. It is our conclusion that Sabal Trail has now selected a pipeline route and mitigation measures that avoid important habitats and minimize impacts to sensitive wetland areas in Florida. Specifically, Sabal Trail re-routed the pipeline around the edge of the Halpata Tastanaki Preserve in Marion County, Florida, to avoid sensitive Florida Scrub Jay habitat. Through both re-routing and mitigation, Sabal Trail has reduced overall impacts to the Green Swamp Area of Critical Concern, the protection of which is very important to Audubon Florida. Such mitigation measures in the Green Swamp area include the assurance that a top-priority parcel proposed for acquisition under the Florida Forever Program will be conserved and restored as a mitigation bank. This parcel would otherwise be highly vulnerable to development.

The project as now designed resolves any of our prior stated concerns regarding wetlands, protected species, and mitigation.

Sincerely,

Charles Lee
Director of Advocacy

Note: Audubon Florida filed two versions of its comment letter on the draft EIS. The comment letter reproduced here is Audubon Florida's revised letter.

- CO1-1 The Audubon's comments regarding Sabal Trail's proposed routing in sensitive areas are noted.
- CO1-2 Comment noted.

COMPANIES AND ORGANIZATIONS

CO2 – Associated Industries of Florida

20151013-0058 FERC PDF (Unofficial) 10/13/2015

CP15-17



ASSOCIATED INDUSTRIES OF FLORIDA

The Voice of Florida Business Since 1920

FILED
SECRETARY OF THE
COMMISSION

2015 OCT 13 A 9 54

FEDERAL ENERGY
REGULATORY COMMISSION

October 1, 2015

Brewster Bevis
Senior Vice President, State and Federal Affairs
Associated Industries of Florida
516 N. Adams St.
Tallahassee, FL 32301

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

ORIGINAL

Dear Ms. Bose,

CO2-1 | On behalf of the Associated Industries of Florida (AIF), I am writing today in regard to the Sabal Trail Transmission Project, FERC Docket No. CP15-17-000 and to express our organization's support for the Sabal Trail pipeline, which is estimated to generate nearly \$371 million for the State of Florida during just one year of construction.

Known as "The Voice of Florida Business," Associated Industries of Florida (AIF) strives to create a business-friendly climate in Florida and has done so for decades. We, as an organization, are constantly working to recognize and support projects that are conducive to job creation and are economically beneficial to both businesses and consumers statewide.

CO2-2 | With these priorities in mind, the Sabal Trail pipeline project is crucial to the economic development of the Sunshine State, as it stands to create 2,709 construction jobs, ultimately resulting in 288 permanent jobs after construction is completed, in Florida alone.

AIF also supports policies leading to the continued success of natural and is a proponent of efforts to promote energy efficiency and conservation through cost-effective incentives.

We are confident that the Sabal Trail pipeline will contribute tremendously to these efforts and will do so in a manner that considers safety above all and exhibits exemplary practices in areas impacted by the project.

Our mission as an organization reminds us of our commitment to "encourage and support the business and industrial enterprises of Florida," and, "to promote the general welfare and prosperity of the commonwealth of Florida as a whole." We are confident that the Sabal Trail project has the potential to help us accomplish these objectives and nurture the prosperity of Florida's economy and job market.

We, at AIF, pride ourselves on looking out for business owners and consumers while seeking out opportunities for Florida to live up to its full potential, and firmly believe Florida needs the Sabal Trail pipeline.

Respectfully,

Brewster Bevis
Senior Vice President, State and Federal Affairs

CO2-1 Comment noted.

CO2-2 Comment noted.

08-0

COMPANIES AND ORGANIZATIONS

CO3 – Forman, Hanratty, Thomas & Montgomery

FORMAN, HANRATTY, THOMAS & MONTGOMERY

ATTORNEYS AT LAW

www.eminentdomainfl.com

FILED
SECRETARY OF THE
COMMISSION

October 6, 2015 **ORIGINAL**

2015 OCT 13 A 9 54
Reply to: Ocala

FEDERAL ENERGY
REGULATORY COMMISSION

Federal Energy Regulatory Commission (FERC)
Hand Delivered at October 6, 2015 meeting in Dunnellon, Florida and mailed to:

Kimberly D. Bose,
Secretary
888 First Street, NE
Room 1A
Washington, DC 20426

John Peconom, Project Mgr.
Environmental Biologist
888 First Street, NE
Washington, DC 20426

Jessica Harris, Project Mgr.
OEP Gas Branch 1
888 First Street, NE
Washington, DC 20426

Copies furnished to: Sabal Trail Transmission

Gus McLachlan
Environmental Manager
2701 N. Rocky Point Dr.
Suite 1050
Tampa, FL 33607

Kitty Maidens
Right-of-Way Manager
400 Colonial Center Pkwy
Suite 300
Lake Mary FL 34471

Bruce Harris, Esq.
Harris, Harris, Bauerle,
Sharma
1201 E. Robinson St.
Orlando, FL 32801

Re: Sabal Trail Transmission, LLC/Sabal Trail Pipeline
Mary Carolyn Galloway and Canaan Ranch

To: Federal Energy Regulatory Commission:

This is a request for FERC to intervene and make a decision on the proposed route on Mary Carolyn Galloway/Canaan Ranch.

The Canaan Ranch is identified as Tax ID No: 32-08-16-0000-0001-0000 and 33-08-16-0000-0001-0000 and Sabal Trail Parcels FL-GI-042.005 and GWA-FFL-FI-096.000 in Gilchrist County, Florida. A route request was made in Docket PF 14-1 submission ID No: 465608 and submission ID No: 465610. Mary Galloway subsequently moved to intervene in Docket CP15-17-0000 and requested relocation of the route for environmental reasons on June 26, 2015. Sabal Trail responded on July 22, 2015. This is a response to Sabal's reply and by further response a request for FERC to intervene and approve our line adjustment on the same land owner and thus not a re-route.

CO3-1 | Representatives from Canaan Ranch met with Sabal Transmission personnel on May 6, 2014 to suggest the line adjustment depicted on Exhibit "A". The request is to follow the power line collocating until the property lines of Canaan Ranch. Then follow the property line of Canaan Ranch, staying on Canaan Ranch property until reaching another power line where Sabal could co-locate along the course of the power line without impacting the property owner to the south where a tall game fence is located. Sabal rejected our request.

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CP15-17

CHARLES R. FORMAN
JOSEPH M. HANRATTY
MICHAEL B. MONTGOMERY**
VANESSA THOMAS*
* Also Licensed in Arkansas
** Licensed also in Hawaii & California
* Of Counsel

CO3-1

We reviewed the additional information provided by the commentors and conclude that the proposed variation would be longer and affect more trees within the wooded area crossed by the propose route. In addition, prescribed burns are typically allowed if coordinated with the pipeline operator. As a result, we conclude that the commentor's recommended route variation would not provide a significant environmental advantage over Sabal Trail's proposed route.

CO3 – Forman, Hanratty, Thomas & Montgomery (cont'd)

O-82

CO3-1
(cont'd)

The proposed realignment has fewer property owners and by locating along, rather than through, existing fence lines is safer and easier to locate after construction. Our proposed alignment allows for much easier access to pipeline for operations and also has an existing fence on the south side of the right of way to protect the pipeline.

Sabal Trail contends that this would add 1800 feet of pipe and three pipe line bends. This is not a reason for denial as many environmentally sensitive lands have been re-routed, not just merely realigned, to protect environmentally sensitive lands. How many miles of pipe were added to get to Compressor Station 6 along SR 200 in Marion County to avoid encroaching on land owned by the State of Florida in Marion County?

Canaan Ranch is one of the largest privately held Long Leaf Pine Wiregrass tracts in Peninsular Florida. The property represents a Tier 1 Project for the Florida Department of Agriculture and Consumer Services Rural and Family Lands Protection Program 2015 Approved Project Priority List (Exhibit "B"). The proposed Greenfield crossing will not only impact the immediate vicinity of the proposed pipeline route, but also affect hundreds of adjoining acres of protected growth by preventing necessary control burns required to maintain this rich, natural habitat.

The property contains incredible native understory that has never been plowed. This rare habitat supports a host of unique and endangered flora and fauna that cannot be found anywhere else. The property is a massive recharge zone for several critical springs and has received accreditations from the Safe Harbor Program, Tree Farm FFS, Florida Forever Program and "Bell Ridge Project". The State of Florida has Canaan Ranch designated as an Essential Remaining Property to be purchased. Attached as Exhibit "C" is a composite exhibit detailing this extraordinary property.

We ask and respectfully request FERC to make the decision to approve our proposed realignment with their authority. We ask FERC to approve the route on our property that we have submitted as Exhibit "A", thereby disapproving the current route depicted in the preliminary EIS for the environmental reasons set forth herein.

Sincerely,

Joseph M. Hanratty
JMH/vs
Enclosures

CO3 – Forman, Hanratty, Thomas & Montgomery (cont'd)





Florida Department of Agriculture
and Consumer Services



Adam H. Putnam, Commissioner

Rural and Family Lands Protection Program (RFLPP)
2015 Approved Project Priority List

Tier 1 Projects (35)	Tier 2 Projects (20)	Tier 3 Projects (35)
Adams Ranch	Corona Ranch	Bucket Creek Preserve
Albritton's Hart Pasture	C&G Cattle Company	Crooked Creek Ranch
Buck Island Ranch	Clemons Oak Creek	Curren Dairy
Camp Lonesome	Corbin Farms	Four Star Timber
Canaan Ranch	Donaldson Tract	Geraci King Ranch
Candy Bar Ranch	Dry Creek Plantation	Grover Rivers Farm
Cannon Family Farm	Faunita Hardee Trust	Hiers Farm
Carlton UHC Ranch	Flatwoods	JA Cattle
Charlie Creek Cattle Co.	G-3 Ranch	Jordan Ranch
Clark Cattle & Citrus	J Campbell Family Lands	K-Rocker
Clay Ranch	Kuder Ranch	River Property
Coastal Hdwr Longleaf	Lewis Friend Farms Ranch	Tater Farms
Darroh Property	Natural Bridge Creek	Tree-O Groves
Double Bar C Ranch	Powers Property	Uncle Matts
Fussell Farms OTC	Rocking Bar W Ranch	Zinn Farm
Heart Bar Ranch	Ruff Diamond	
JB Ranch	Russakis Ranch III	
Kilbee Ranch	Ryals Citrus and Cattle	
Lake Hatchineha Ranch	Squirrel Island	
Land Family	Syffrett Ranch	
Ox Creek Ranch		
Pelaez & Sons		
Perry Smith Family		
Phillips/Mathis		
Rafter T Ranch		
Rainey Pasture		
Rodman Plantation		
Sampala Lake Ranch		
Smith Family Phase II		
SV Hartt		
Todd Clemons Unit One		
Triple S Ranch		
Tyree Trust		
Walpole Ranch		
Welaka Ranch		

F.B.



History

- William Manassas Davidson
 - Purchased Canaan Ranch in 1944
 - 9,000 +/- Acres Originally
 - 3,200 + Acres Today
- Canaan Ranch is currently under its 4th generation of family ownership.

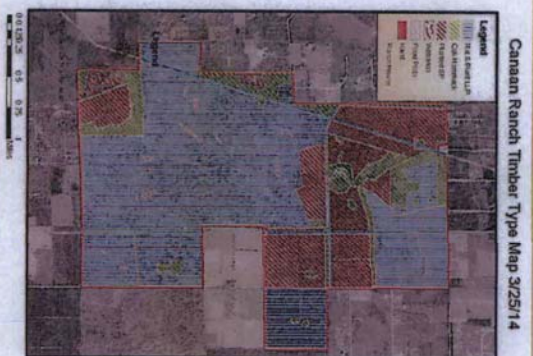
Legacy of Management & Stewardship

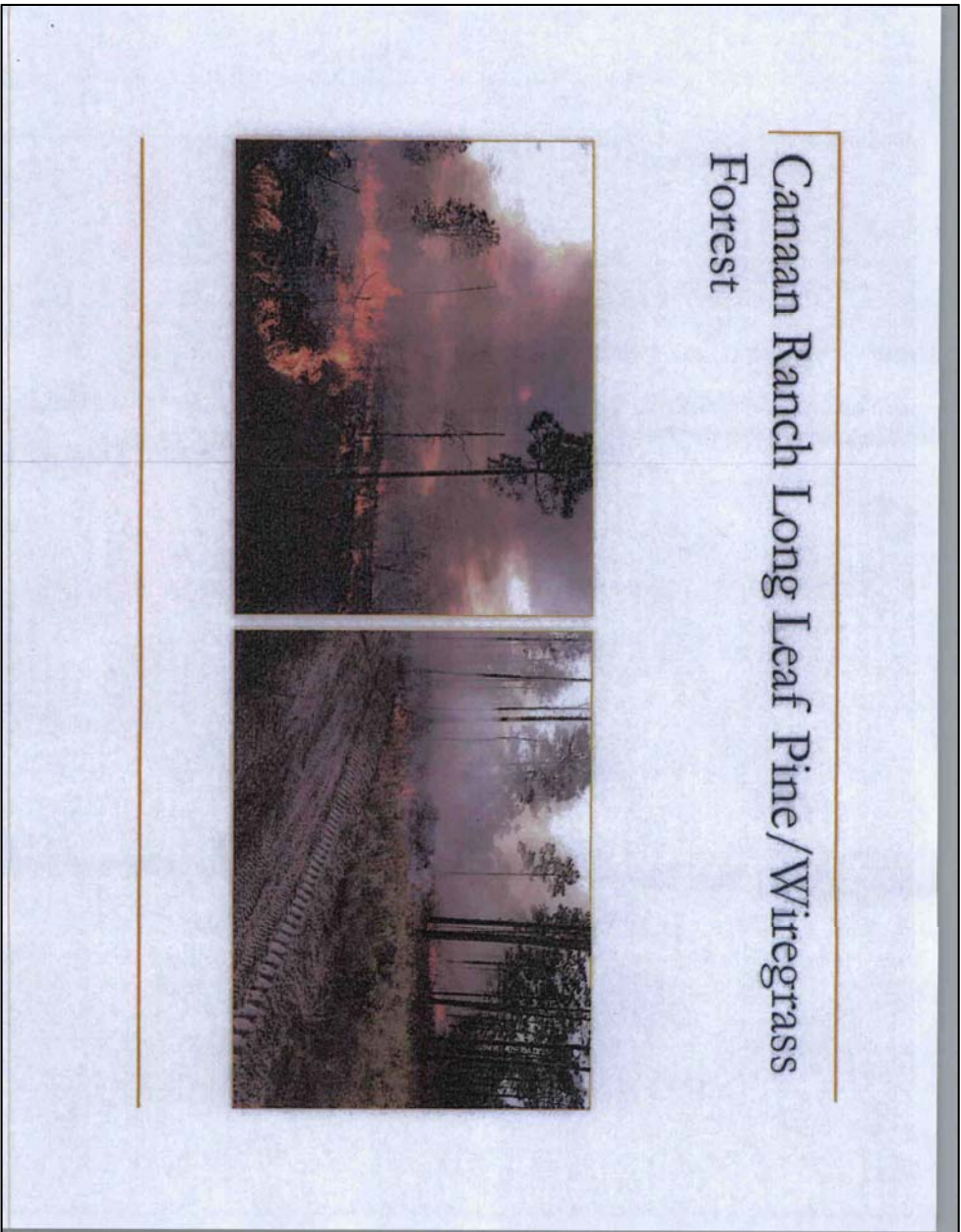
- One of the largest privately held Long Leaf Pine Wiregrass Tracts in peninsular Florida.
- Legacy of long term management & stewardship of the Long Leaf Pine forest.



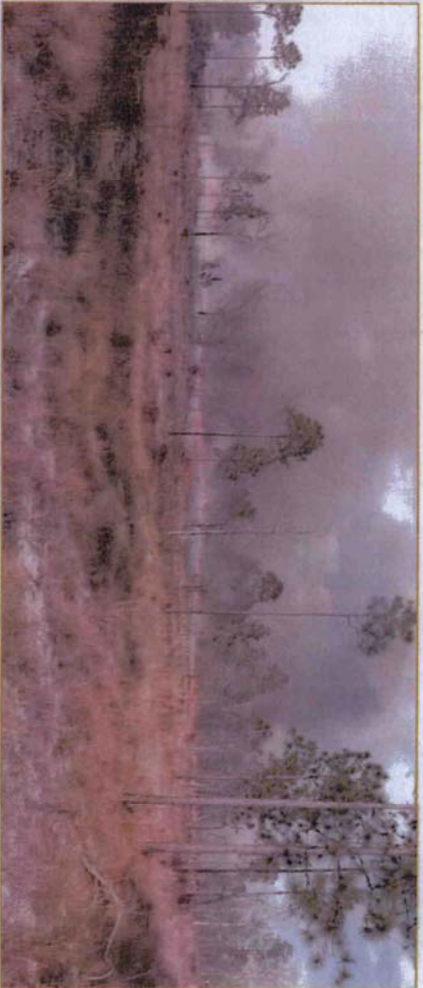
Canaan Ranch Reforestation, Habitat Restoration, and Management Plan

- Over the past 7 years we have aggressively addressed a management plan that has achieved habitat restoration and reforestation of the entire property.






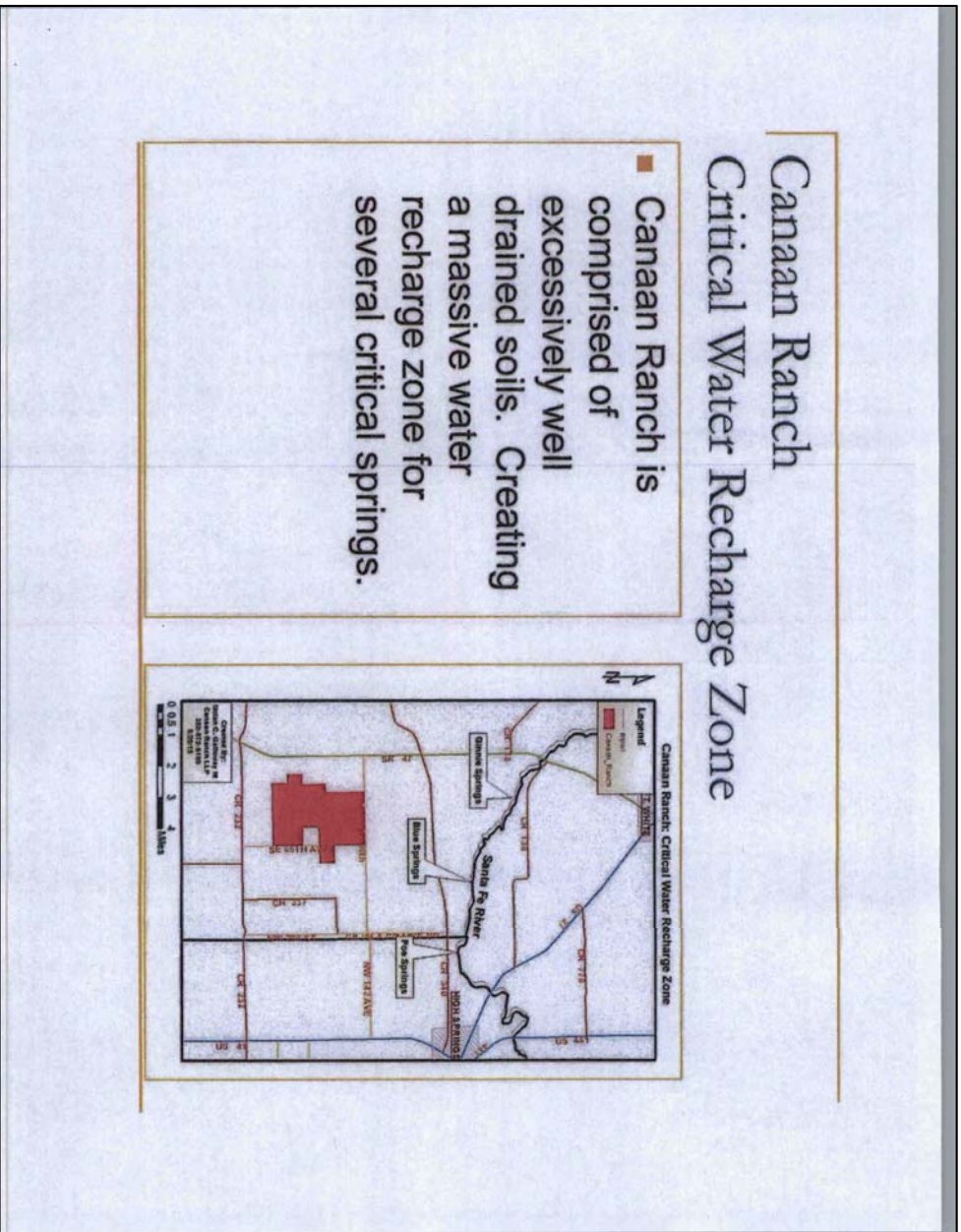
Late Winter's Burn Over 1 Yr Old Long
Leaf



Canaan Ranch Long Leaf Pine/Wiregrass Forest



- Incredible native understory that has never been plowed.
- Many Cost Share programs available to "reestablish" the habitat that Canaan Ranch indigenously has.
- This rare habitat supports a host of unique/ endangered flora and fauna that can not be found anywhere else.

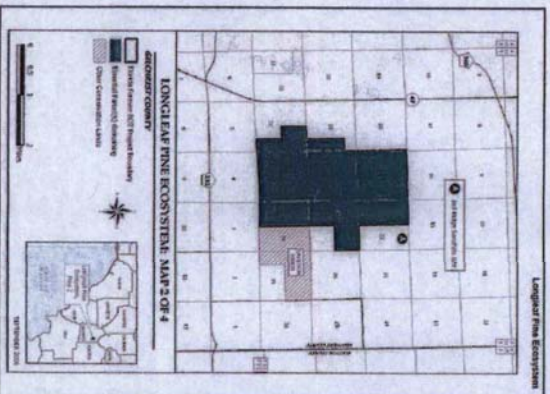


Canaan Ranch Accreditations

- Safe Harbor Program RCW
- Tree Farm FFS
- CARES Recipient
- Florida Forever Program “Bell Ridge project”

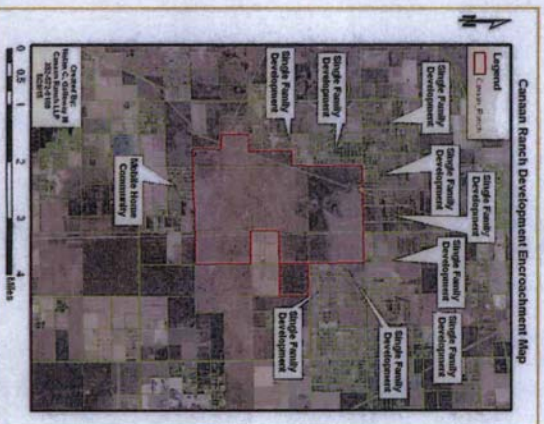
Canaan Ranch Designated by the State for Acquisition

- Our family sold 721 Acres to the Nature Conservancy in 1992 which was subsequently traded to the State and is now known as the Bell Ridge Longleaf Wildlife and Environmental Area.
- The State Still has Canaan Ranch designated as an Essential Remaining Property to be purchased
<http://www.dep.state.fl.us/lands/FFAnnual/Longleaf%20Pine%20Ecosystem.pdf>

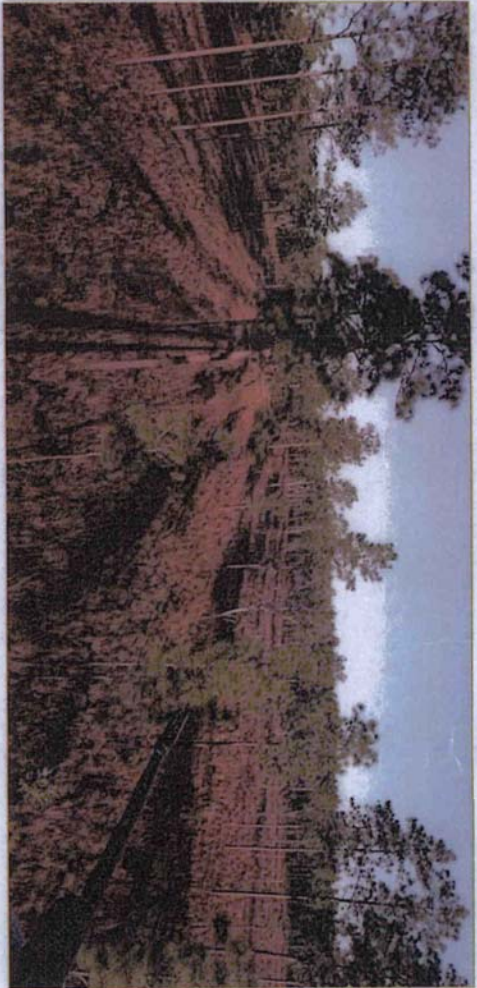


Threats: Retaining Ownership Single Family Developments

- Small acreage residential development.
- Retaining ownership into the next generation is challenging.
- Different family members have different goals.
- Fiscal reality of holding a large acre tract.



Canaan Ranch Long Leaf Pine/Wiregrass
Forest



COMPANIES AND ORGANIZATIONS

CO4 – Forman, Hanratty, Thomas & Montgomery

FORMAN, HANRATTY, THOMAS & MONTGOMERY

ATTORNEYS AT LAW

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ORIGINAL

October 6, 2015

2015 OCT 13 A 9:57

FEDERAL ENERGY
REGULATORY COMMISSION

Reply to: Ocala

Federal Energy Regulatory Commission (FERC)

Hand Delivered at October 6, 2015 meeting in Dunnellon, Florida and mailed to:

Kimberly D. Bose,
Secretary
888 First Street, NE
Room 1A
Washington, DC 20426

John Peconom, Project Mgr.
Environmental Biologist
888 First Street, NE
Washington, DC 20426

Jessica Harris, Project Mgr.
OEP Gas Branch 1
888 First Street, NE
Washington, DC 20426

Copies furnished to: **Sabal Trail Transmission**

Gus McLachlan
Environmental Manager
2701 N. Rocky Point Dr.
Suite 1050
Tampa, FL 33607

Kitty Maidens
Right-of-Way Manager
400 Colonial Center Pkwy
Suite 300
Lake Mary FL 34471

Bruce Harris, Esq.
Harris, Harris, Bauerle,
Sharma
1201 E. Robinson St.
Orlando, FL 32801

Re: Sabal Trail Transmission, LLC/Sabal Trail Pipeline
Mary Carolyn Galloway and Canaan Ranch
Letter of Support by: Adjacent Property Owner, George Robinson Living Trust

To: Federal Regulatory Commission:

This is a letter of support regarding the request by Mary Carolyn Galloway/Canaan Ranch's for FERC to intervene and make a decision on the proposed route which adversely affects Mary Carolyn Galloway/Canaan Ranch and The George Robinson Living Trust properties.

The George Robinson Living Trust property is identified as Tax ID No.: 04-09-16-0000-0001-0000 and Sabal Trail Parcel FL-GI-043.005 in Gilchrist County, Florida. A route request was made in Docket PF 14-1 submission ID No: 465608 and submission ID No: 465610. Mary Galloway subsequently moved to intervene in Docket CP15-17-000 and requested relocation of the route for environmental reasons on June 26, 2015. Sabal Trail responded on July 22, 2015. This is a letter of support of the adjacent landowner requesting FERC to intervene and approve the line adjustment sought by Mary Galloway as the proposed line adjustment will also remove the harmful and adverse environmental impacts from the George Robinson Living Trust property on which a residence is located.

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(626) 799-0550

CP15-17

CHARLES R. FORMAN
JOSEPH M. HANRATTY
MICHAEL B. MONTGOMERY**
VANESSA THOMAS*

* Also Licensed in Alabama
** Licensed also in Hawaii & California
*CJ Counsel

CO4-1

See response to comment CO3-1.

O-97

CO4-1

CO4 – Forman, Hanratty, Thomas & Montgomery (cont'd)

Federal Energy Regulatory Commission
October 6, 2015
Page Two

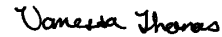
CO4-1
(cont'd)

Sabal Trail's current line diagonally bisects the George Robinson Living Trust property. The proposed line adjustment would only require the acquisition of a corner clip of the George Robinson Living Trust property at its northeast corner and then follow the property line of Canaan Ranch, staying on Canaan Ranch property until reaching another power line where Sabal could co-locate along the course of the power line. This proposed adjustment was rejected by Sabal Trails.

The proposed realignment has the support of all affected property owners and by locating along, rather than through the middle of existing fence lines, is safer and easier to locate after construction. The proposed line adjustment allows for much easier access to the pipeline for operations and the existing 11 foot tall wild game fence on the south side of the right of way to protect the pipeline. This route will not impact the purpose of the wild game fence as the proposed relocation allows construction limited to an area of the fence that is easier to secure.

We ask and respectfully request FERC to make the decision to approve the proposed realignment with their authority. We ask FERC to approve the route being proposed by Mary Galloway/Canaan Ranch which has been submitted as Exhibit "A", and thereby disapprove the current route depicted in the preliminary EIS.

Sincerely,



Vanessa Thomas
Attorney for George Robinson Living Trust

VT/bj

86-O
898



COMPANIES AND ORGANIZATIONS

CO5 – Forman, Hanratty, Thomas & Montgomery

FORMAN, HANRATTY, THOMAS & MONTGOMERY

ATTORNEYS AT LAW

www.eminentdomainfl.com

CP15-17

CHARLES R. FORMAN
JOSEPH M. HANRATTY
MICHAEL B. MONTGOMERY*
VANESSA THOMAS*

* Also Licensed in Alabama
* Licensed also in Hawaii & California
* Of Counsel

ORIGINAL

October 6, 2015

Reply to: Ocala

Federal Energy Regulatory Commission [FERC]

Hand Delivered at October 6, 2015 meeting in Dunnellon, Florida and mailed to:

Kimberly D. Bose, Secretary 888 First Street, NE Room 1A Washington, DC 20426	John Peconom, Project Mgr. Environmental Biologist 888 First Street, NE Washington, DC 20426	Jessica Harris, Project Mgr. OEP Gas Branch 1 888 First Street, NE Washington, DC 20426
---	---	--

Copies furnished to: **Sabal Trail Transmission and FDOT District V**

Gus McLachlan Environmental Manager 2701 N. Rocky Point Dr. Suite 1050 Tampa, FL 33607	Kitty Maidens Right-of-Way Manager 400 Colonial Center Pkwy Suite 300 Lake Mary FL 34471	Bruce Harris, Esq. Harris, Harris, Bauerle, Sharma 1201 E. Robinson St. Orlando, FL 32801
--	--	---

Jack Adkins, Right of Way Administrator
State of Florida Department of Transportation
719 South Woodland Blvd.
DeLand, FL 32720

Re: Sabal Trail Transmission, LLC/Sabal Trail Pipeline
Arbor Springs Properties and Arbor Springs Development

To: Federal Energy Regulatory Commission and Florida Department of Transportation:

- Arbor Springs Properties and Arbor Springs Development, Marion County ID 40848-000001, 40754-000-00 and other related properties are abutting property owners along SR 200 in Marion County approaching Compressor Station #6.
- The property is located on Appendix B-186 in Volume I of PEIS (Preliminary Environmental Impact Statement) between 391 R and 392 R (Exhibit A).
- The proposed route locates the pipeline in right of way for SR 200 acquired from this property by Final Judgment in 2002. The property was identified as Parcel 115 "C" in the attached Exhibit "B".

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2015 OCT 13 A 9 53
FEDERAL ENERGY
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(626) 799-0550

O-100

Company and Organization Comments

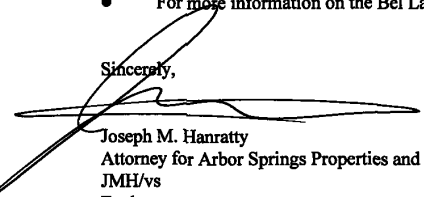
CO5 – Forman, Hanratty, Thomas & Montgomery (cont'd)

O-101

- The Final Judgment attached as Exhibit B specifically provided that it was based upon the current construction plans and specifications dated June 5, 2000 for the SR 200 reconstruction.
- These plans were drawn back when FDOT was going metric. Attached as Exhibit C is a sheet of the construction plans attached to Exhibit B the Final Judgment.
- In the area along the SR right of way taken from Arbor Springs' predecessor in 2002, the SR 200 row width is 214.83 feet. The area between the shoulder of the road and the remainder of the Arbor Springs property line adjacent to the SR 200 row line is 59.05 feet.
- The Arbor Springs property is developed with the Bel-Lago Hamlet Residential Subdivision. A community comprised of 18 acre farmsteads for a total of 120 units. The single gated entrance for this community requires all residents and their guests to cross the pipeline. Upon full development this could be upwards to 3,000 cars a day. Composite Exhibit D is Bel Lago.

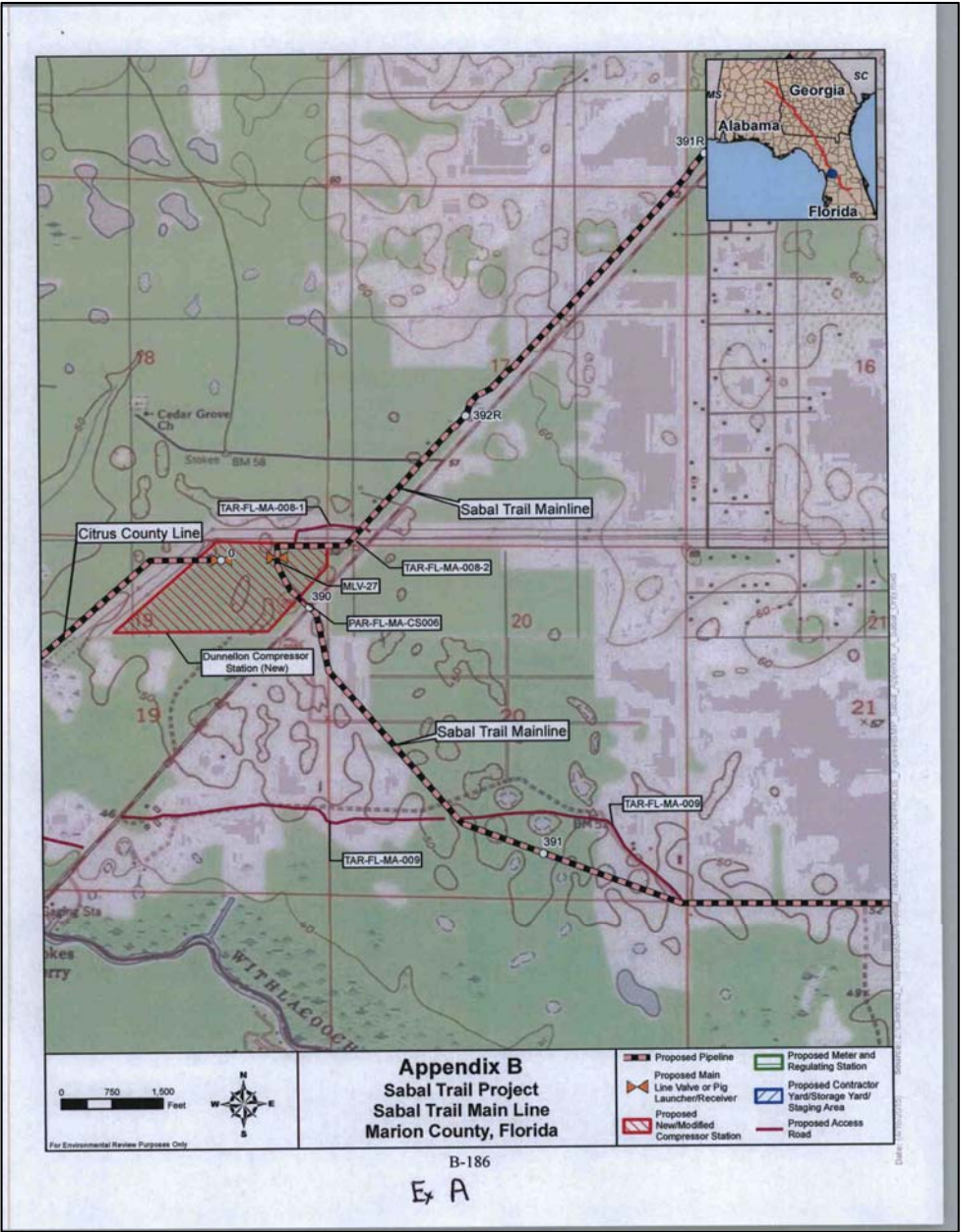
- CO5-1
- Arbor Springs primary argument with the pipeline located in the FDOT right of way is that it is contrary to the terms and conditions of the Final Judgment attached hereto as Exhibit B. Nowhere in the plans drawn in 2000 for SR 200 along the Arbor Springs frontage is there a 50 foot easement containing a 36" pipeline.
 - While there may be additional defendants, should the pipeline actually be constructed in the SR 200 right of way, FDOT would be violating the terms and conditions of the court's order attached as Exhibit B.
- CO5-2
- Besides the violation of the Terms and Conditions of Exhibit B, does it make sense to shoehorn a LP gas pipeline in a right of way corridor that was not designed for one?
- CO5-3
- Arbor Springs supports the original design that went along the western boundary of the Bel Lago Hamlet.
 - For more information on the Bel Largo community, please see www.bellago.com

Sincerely,


Joseph M. Hanratty
Attorney for Arbor Springs Properties and Arbor Springs Development
JMH/vs
Enclosures

- CO5-1
- As discussed in section 3.9, Sabal Trail must obtain easements from landowners to construct and operate natural gas facilities. However, the FERC does not become directly involved in negotiations between applicants and affected landowners.
- CO5-2
- Natural gas pipelines are often located adjacent to roadways.
- CO5-3
- We reviewed the information provided and conclude that routing the Mainline onto the Halpata-Tastanaki Preserve would impact sensitive species and habitats in the preserve. As a result, the route variation recommended by the commentor would not offer a significant environmental advantage over Sabal Trail's proposal which, as indicated in the docket for this proceeding, was developed in consultation with the FDEP and Florida Audubon. We also note that Sabal Trail's proposal would have limited impact on Bel Lago Hamlet as the pipeline would be located in FDOT right-of-way and be installed via bore beneath the Bel Lago Hamlet entrance road, which would maintain access to the community during construction.

O-102



No Chg Civil

20

IN THE CIRCUIT COURT OF THE FIFTH
JUDICIAL CIRCUIT, IN AND FOR MARION
COUNTY, FLORIDA

CIVIL ACTION 02-197-CA-G

STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION,

Petitioner,

vs.

PARCEL 115

THEODORE M. SELDIN, ETC.,
et al.

Respondents

FILED
CLERK OF COURT
MARION COUNTY
JUN 28 10 07 AM
2002

STIPULATED FINAL JUDGMENT

THIS CAUSE having come on for consideration upon the Joint Motion for Entry of Final Judgment made by the Petitioner, STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, and the Respondent, THEODORE M. SELDIN, TRUSTEE, and it appearing that the parties are authorized to enter into such Motion, and the Court finding that the compensation to be paid by the Petitioner is full, just and reasonable for all parties concerned, and the Court being fully advised in the premises, it is now, therefore,

ORDERED AND ADJUDGED

That the Court has jurisdiction of this action, of the subject property, and of the parties in this cause pursuant to Chapters 73 and 74 of the Florida Statutes; that the pleadings in this cause are sufficient; that the Petitioner is properly exercising its delegated authority in that the

DAVID R. ELLSPERMANN, CLERK OF COURT MARION COUNTY
DATE: 06/04/2002 10:42:13 AM
FILE NUM 2002061821 OR BK/PG 03174/1188
RECORDING FEES 0.00

Ex B

45

O-103

CO5 – Forman, Hanratty, Thomas & Montgomery (cont'd)

condemnation of Parcel 115 is for a valid purpose, and is necessary for such purpose. It is further

ORDERED AND ADJUDGED

That the Motion for Entry of this Stipulated Final Judgment is approved and incorporated by reference in this Order. It is further

ORDERED AND ADJUDGED

That Respondent, THEODORE M. SELDIN, does have and recover of and from the Petitioner, STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, the sum of ONE HUNDRED NINETY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$196,500) in full payment for the property taken designated as Parcel 115 and for all other damages of any nature, and it is

ORDERED AND DIRECTED

That Charles R. Forman, Esquire of Forman, Hanratty & Montgomery, Attorney for Respondent, THEODORE M. SELDIN, TRUSTEE, shall receive a reasonable attorney's fee in the amount of TWELVE THOUSAND FOUR HUNDRED EIGHTY-ONE THOUSAND AND 25/100THS DOLLARS (\$12,481.25) and expert fees in the amount of TWENTY-ONE THOUSAND EIGHTEEN AND 75/100THS DOLLARS (\$21,018.75). It is further

ORDERED AND DIRECTED

That within thirty (30) days of the date of receipt of a conformed copy of this Stipulated Final Judgment, the Petitioner, STATE OF FLORIDA

FILE: 2002081821
OR BOOK/PAGE 63174/1170

DEPARTMENT OF TRANSPORTATION, shall deposit into the Registry of this Court the sum of EIGHTY-TWO THOUSAND FOUR HUNDRED DOLLARS (\$82,400), having previously deposited ONE HUNDRED FORTY-SEVEN THOUSAND SIX HUNDRED DOLLARS (\$147,600) pursuant to the Order of Taking dated March 25, 2002; and it is further

ORDERED AND DIRECTED

That title to the property designated as Parcel 115, and as fully described in Exhibit "A," attached hereto and incorporated by reference, which vested in the Petitioner pursuant to the Order of Taking and deposit of money heretofore made, is approved, ratified and confirmed, SUBJECT to the following reservation to Respondent. Said reservation to run with the land in perpetuity:

After the Petitioner has completed and finalized construction of a Water Retention Pond and the piping and drainage into the Pond on Parcel 115, the Respondent is hereby granted the right to modify, enlarge or relocate the water retention area, hereinafter described as "WRA", and the piping and drainage, hereinafter described as "PD", subject to the following conditions and restrictions:

- 1) Prior to altering the WRA or PD, the Respondent shall provide the Petitioner with the following described items and the Petitioner has the right to inspect and approve said items, it being understood that its approval shall not unreasonably be withheld, nor shall Petitioner seek any monetary compensation for allowing the alteration or relocation of the WRA and/or PD:

- a. Provide to the maintenance engineer for the Petitioner

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OR BOOK/PAGE 03174/1171

any and all construction plans for said work for Petitioner's review and approval. Petitioner's review of the plans shall be limited to the adequacy and sufficiency, as determined by Petitioner's Design Standards, of the altered WRA and PD, and related drainage structures to serve their intended purpose. The Petitioner's approval shall not be unreasonably withheld.

- b. The Respondent shall pay any and all costs necessary to complete the construction of the WRA and PD alteration, obtain all necessary permits to perform such alteration, and maintain the altered facilities so that said facilities shall function as designed and be in compliance with all permits.
- c. The Respondent shall also provide the Petitioner for review and approval the following items:
 - i. A boundary survey performed and certified in accordance with the requirements of law.
 - ii. Evidence of title showing fee simple ownership in a form acceptable to the Petitioner which shows marketable title in the entity signing the deed, free and clear of any and all liens or encumbrances of any nature, kind or description.
 - iii. Such other documents as may be reasonably reasonably required in a standard real estate transaction.
- d. The Petitioner shall have the right to enter upon and inspect the property described in the proposed deed prior to accepting the deed to verify that it is in acceptable condition and to require that the Respondent perform any tests, at its own visible defects that could impair the intended use of the

property or subject the Petitioner to potential liability

2. After all of the foregoing approvals have been granted by the Petitioner, and after completion of the construction of the Respondent's alteration of the WRA and PD, Respondent, or its successors in title, shall execute a warranty deed in a form acceptable to the Petitioner, for all lands necessary for the Petitioner to operate and maintain the improvements. The description of the land to be conveyed shall be in accordance with the construction plans and legal descriptions submitted and approved by Petitioner.
3. Petitioner shall simultaneously execute to Respondent or their successors in title a quitclaim deed to any lands no longer needed for the WRA and PD by virtue of its total or partial relocation.

It is further

ORDERED AND DIRECTED

That this Stipulated Final Judgment is based upon the current construction plans and specifications (Sheets 32 through 34, dated June 5, 2000) for the State Road 200 reconstruction, which are hereby incorporated by reference. Petitioner shall modify said plans to include a full median cut at station 120 + 20. It is further

ORDERED AND DIRECTED

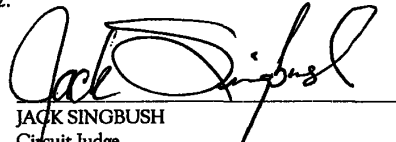
That the Clerk of the Court pay to FORMAN, HANRATTY & MONTGOMERY TRUST ACCOUNT, P.O. Box 159, Ocala, Florida, 34478-0159, as attorney for the

Respondent, the aforesaid sums totaling TWO HUNDRED THIRTY THOUSAND DOLLARS (\$230,000), for proper distribution as herein above set forth, SUBJECT to the interests of the parties of record having an interest in the subject property, including without limitation, real property taxes. It is further

ORDERED AND DIRECTED

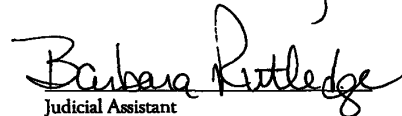
That the Court shall retain jurisdiction over this cause to enforce the terms of this Stipulated Final Judgment.

DONE AND ORDERED in Chambers at Ocala, Marion County, Florida, this 24
day of May, 2002.


JACK SINGBUSH
Circuit Judge

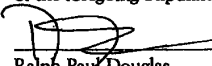
CERTIFICATE OF SERVICE

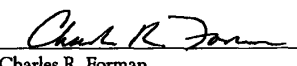
I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to the attached list of addressees by U.S. Mail, this 24 day of May, 2002.


Judicial Assistant

JOINT MOTION

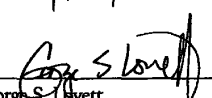
The parties by and through their undersigned attorneys respectfully move for the entry of the foregoing Stipulated Final Judgment.


Ralph Paul Douglas
Fla. Bar No. 020230
719 S. Woodland Blvd.
DeLand, FL 32720
(386) 943-5501
Attorney for Petitioner,
STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION


Charles R. Forman
Fla. Bar No. 229253
Post Office Box 159
Ocala, FL 34478
(352) 732-3915
Attorney for Respondent, THEODORE
M. SELDIN, TRUSTEE

Dated: 5/17/02

Dated: 5/20/02


George S. Lovett
Florida Department of Transportation
719 S. Woodland Blvd.
DeLand, FL 32720
(386) 943-5029
Right of Way Manager

Dated: 5/17/02

FILE: 2002061821
OR BOOK/PAGE 03174/1175

CO5 – Forman, Hanratty, Thomas & Montgomery (cont'd)

F.P. No. 238651 1 SECTION 36100 S.R. 200 MARION CO. DESCRIPTION

FEE SIMPLE - RIGHT OF WAY
FEE SIMPLE - WATER RETENTION AREA

PARCEL NO. 115

THAT PART OF:

The south 1/2 of the SW 1/4 of Section 17, Township 17 South, Range 20 East, Marion County, Florida, lying Easterly of State Road No. 200.

BEING a portion of lands described and recorded in Official Records Book 1499, page 1230, Public Records of Marion County, Florida,

DESCRIBED AS FOLLOWS:

PART A)
WATER RETENTION AREA RIGHT (SOUTHEAST) STATION 25+00(±)

COMMENCE AT A 4 INCH BY 4 INCH CONCRETE MONUMENT MARKING THE SOUTHWEST CORNER OF SECTION 17, TOWNSHIP 17 SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 36100-2502; THENCE SOUTH 89°51'50" EAST ALONG THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 170.200 METERS (558.40 FEET) TO A POINT ON THE CENTERLINE OF SURVEY OF STATE ROAD 200, AS SHOWN ON SAID RIGHT-OF-WAY MAP; THENCE DEPARTING SAID SOUTH LINE, NORTH 42°01'25" EAST ALONG SAID SURVEY LINE, 137.071 METERS (449.71 FEET); THENCE DEPARTING SAID SURVEY LINE, SOUTH 89°51'10" EAST, 20.468 METERS (67.15 FEET) TO A POINT AT THE INTERSECTION OF THE EXISTING SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD 200, WITH NORTH THE LINE OF A 295 FOOT WIDE FLORIDA POWER EASEMENT AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 228, PAGES 685-689, PUBLIC RECORDS OF MARION COUNTY, FLORIDA, SAID POINT LYING 15.240 METERS (50.00 FEET) SOUTHEASTERLY OF AS MEASURED PERPENDICULAR TO SAID SURVEY LINE, FOR THE POINT OF BEGINNING; THENCE DEPARTING SAID EXISTING RIGHT-OF-WAY LINE, CONTINUE SOUTH 89°51'10" EAST, ALONG SAID NORTH LINE, 312.064 METERS (1023.83 FEET); THENCE DEPARTING SAID NORTH LINE, NORTH 00°08'50" EAST, 183.710 METERS (602.72 FEET); THENCE SOUTH 42°01'25" WEST, PARALLEL WITH SAID SURVEY LINE, 74.279 METERS (243.70 FEET); THENCE NORTH 89°51'10" WEST, PARALLEL WITH THE NORTH LINE OF SAID FLORIDA POWER EASEMENT, 147.368 METERS (483.49 FEET) TO THE EXISTING SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD 200; THENCE SOUTH 42°01'25" WEST, ALONG SAID RIGHT-OF-WAY LINE,

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OR BOOK/PAGE 03174/1178

EXHIBIT "A"

O-110

CO5 – Forman, Hanratty, Thomas & Montgomery (cont'd)

F.P. No. 238651 1 SECTION 36100 S.R. 200 MARION CO. DESCRIPTION

FEE SIMPLE - RIGHT OF WAY
FEE SIMPLE - WATER RETENTION AREA

PARCEL NO. 115 - CONT.

PARALLEL WITH SAID SURVEY LINE, 172.448 METERS (565.77 FEET) TO THE POINT OF BEGINNING.

CONTAINING 3.4051 HECTARES (8.414 ACRES), MORE OR LESS.

AND PART B)

The NE 1/4 of the SW 1/4 AND the NW 1/4 of the SE 1/4 AND the SW 1/4 of the NE 1/4, ALL in Section 17, Township 17 South, Range 20 East, Marion County, Florida, lying Easterly of State Road No. 200.

BEING a portion of lands described and recorded in Official Records Book 1499, page 1230, AND Official Records Book 1347, page 1036, Public Records of Marion County, Florida,

COMMENCE AT A 4 INCH BY 4 INCH CONCRETE MONUMENT MARKING THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 17 SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 36100-2502; THENCE SOUTH 00°04'10" WEST ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 17, A DISTANCE OF 105.814 METERS (347.16 FEET) TO A POINT ON THE CENTERLINE OF SURVEY OF STATE ROAD 200, AS SHOWN ON SAID RIGHT-OF-WAY MAP; THENCE DEPARTING SAID WEST LINE, SOUTH 42°01'25" WEST ALONG SAID SURVEY LINE, 175.136 METERS (574.59 FEET); THENCE DEPARTING SAID SURVEY LINE, SOUTH 47°58'35" EAST, 15.240 METERS (50.00 FEET) TO A POINT ON THE EXISTING SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD 200, SAID POINT LYING 15.240 METERS (50.00 FEET) SOUTHEASTERLY OF AS MEASURED PERPENDICULAR TO SAID SURVEY LINE, FOR THE POINT OF BEGINNING; THENCE DEPARTING SAID EXISTING RIGHT-OF-WAY LINE, CONTINUE SOUTH 47°58'35" EAST, 6.000 METERS (19.69 FEET) TO A POINT LYING 21.240 METERS (69.69 FEET) SOUTHEASTERLY OF AS MEASURED PERPENDICULAR TO SAID SURVEY LINE; THENCE NORTH 42°01'25" EAST, PARALLEL WITH SAID SURVEY LINE, 640.000 METERS (2099.73 FEET); THENCE NORTH 47°58'35" WEST, 6.000 METERS (19.69 FEET) TO A POINT ON SAID EXISTING SOUTHEASTERLY RIGHT-OF-WAY LINE, SAID POINT LYING 15.240 METERS (50.00 FEET) SOUTHEASTERLY OF AS MEASURED PERPENDICULAR TO SAID SURVEY LINE; THENCE SOUTH 42°01'25" WEST, ALONG SAID EXISTING SOUTHEASTERLY

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OR BOOK/PAGE 03174/1177

III-O

CO5 – Forman, Hanratty, Thomas & Montgomery (cont'd)

F.P. No. 238651 1 SECTION 36100 S.R. 200 MARION CO. DESCRIPTION

FEE SIMPLE - RIGHT OF WAY
FEE SIMPLE - WATER RETENTION AREA

PARCEL NO. 115 - CONT.

RIGHT-OF-WAY LINE, 640.000 METERS (2099.73 FEET) TO THE POINT OF BEGINNING.

CONTAINING 0.3840 HECTARES (0.949 ACRES), MORE OR LESS.

AND PART C)

THAT PART OF:

The South 3/4 of the West 1/2, and the SW 1/4 of NE 1/4, and the SE 1/4 of Section 8, Township 17 South, Range 20 East.

AND

The North 1/2 of NW 1/4, and the NE 1/4 lying North and West of State Road No. 200, in Section 17, Township 17 South, Range 20 East.

Being the lands described and recorded in Official Records Book 1480, pages 508 and 510, Public Records of Marion County, Florida.

DESCRIBED AS FOLLOWS:

COMMENCE AT A 4 INCH BY 4 INCH CONCRETE MONUMENT MARKING THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 17 SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 36100-2502; THENCE SOUTH 89°59'13" EAST ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 17, A DISTANCE OF 33.673 METERS (110.48 FEET) TO A POINT LYING 45.720 METERS (150.00 FEET) NORTHWESTERLY OF AS MEASURED PERPENDICULAR TO THE CENTERLINE OF SURVEY OF STATE ROAD 200, AS SHOWN ON SAID RIGHT-OF-WAY MAP, FOR THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°59'13" EAST, ALONG SAID NORTH LINE, 41.022 METERS (134.58 FEET) TO A POINT ON THE EXISTING NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD 200, SAID POINT LYING 15.240 METERS (50.00 FEET) NORTHWESTERLY OF AS MEASURED PERPENDICULAR TO SAID SURVEY LINE; THENCE DEPARTING SAID NORTH LINE, NORTH 42°01'25" EAST, ALONG SAID RIGHT-OF-WAY LINE AND PARALLEL WITH SAID SURVEY LINE, 778.216 METERS (2553.20 FEET) TO A POINT OF INTERSECTION IN SAID

FILE: 2002061821
OR BOOK/PAGE 03174/1178

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CO5 – Forman, Hanratty, Thomas & Montgomery (cont'd)

F.P. No. 238651 1 SECTION 36100 S.R. 200 MASON CO. DESCRIPTION

FEE SIMPLE - RIGHT OF WAY
FEE SIMPLE - WATER RETENTION AREA

PARCEL NO. 115 - CONT.

RIGHT-OF-WAY LINE; THENCE CONTINUE ALONG SAID EXISTING NORTHWESTERLY RIGHT-OF-WAY LINE, NORTH 42°02'24" EAST, PARALLEL WITH SAID SURVEY LINE, 314.685 METERS (1032.43 FEET), TO A POINT ON THE EAST LINE OF SAID SECTION 17, SAID POINT LYING 15.240 METERS (50.00 FEET) NORTHWESTERLY OF AS MEASURED PERPENDICULAR TO SAID SURVEY LINE; THENCE NORTH 00°05'20" EAST, ALONG LAST SAID EAST LINE, 6.355 METERS (20.85 FEET), TO A 4 INCH BY 4 INCH CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF SAID SECTION 17; THENCE NORTH 00°07'47" EAST, ALONG THE EAST LINE OF SECTION 8, TOWNSHIP 17 SOUTH, RANGE 20 EAST, OF SAID COUNTY, 39.271 METERS (128.84 FEET), TO A POINT LYING 45.720 METERS (150.00 FEET) NORTHWESTERLY OF AS MEASURED PERPENDICULAR TO SAID SURVEY LINE; THENCE SOUTH 42°02'24" WEST, PARALLEL WITH SAID SURVEY LINE, 348.641 METERS (1143.83 FEET); THENCE SOUTH 42°01'25" WEST, PARALLEL WITH SAID SURVEY LINE, 805.674 METERS (2643.28 FEET) TO THE POINT OF BEGINNING.

CONTAINING 3.4248 HECTARES (8.463 ACRES), MORE OR LESS.

AND CONTAINING IN THE AGGREGATE, 7.2139 HECTARES (17.826 ACRES), MORE OR LESS.

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OR BOOK/PAGE 03174/1179

O-113

CO5 – Forman, Hanratty, Thomas & Montgomery (cont'd)

**SERVICE LIST
DOT v. THEODORE M. SELDIN, ETC., ET AL.
PARCELS 103 AND 115**

Ralph Paul Douglas
Eminent Domain Attorney
State of Florida Department of
Transportation
719 S. Woodland Boulevard
DeLand, FL 32720

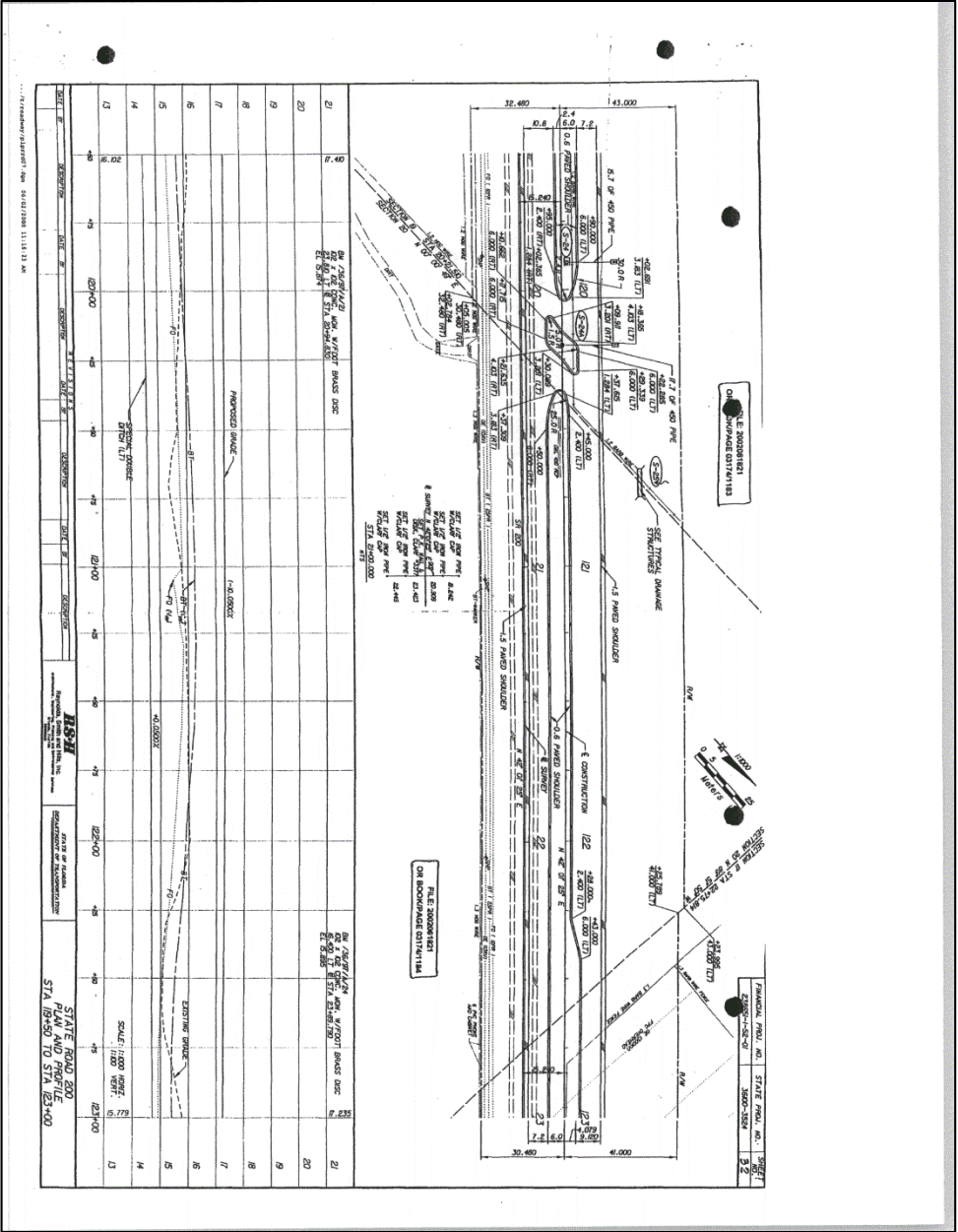
Theodore M. Seldin, Trustee
c/o Charles R. Forman, Esq.
Forman, Hanratty & Montgomery
P.O. Box 159
Ocala, FL 34478-0159

Farm Credit of North Florida, ACA
c/o J. Charles Thompson, President
12300 N.W. U.S. Highway 441
Alachua, FL 32615

Benjamin H. Ayres, Esq.
Landt, Wiechens, LaPeer & Ayres
445 N.E. 8th Avenue
Ocala, FL 34470

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OR BOOK/PAGE 03174/1180**

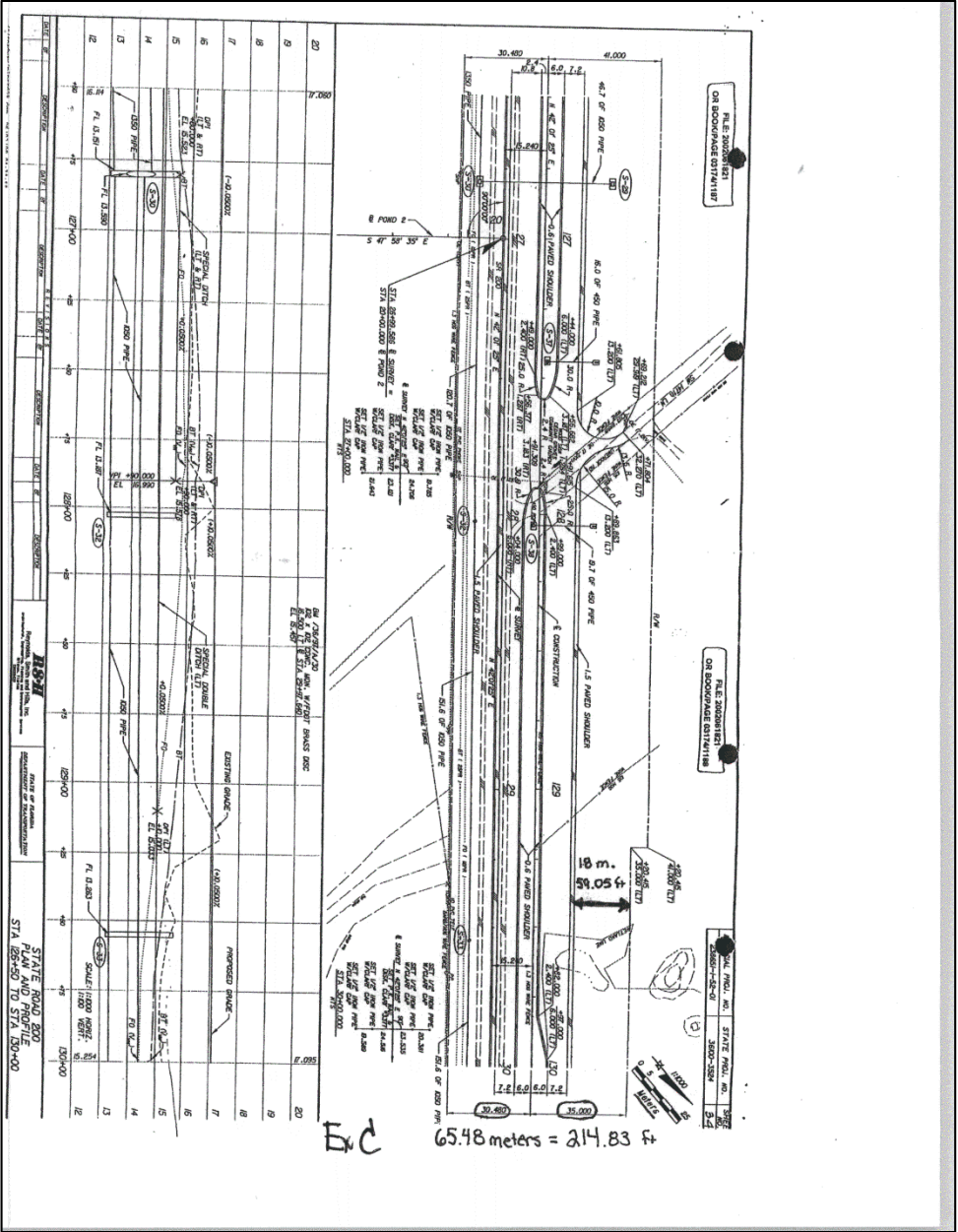
O-114



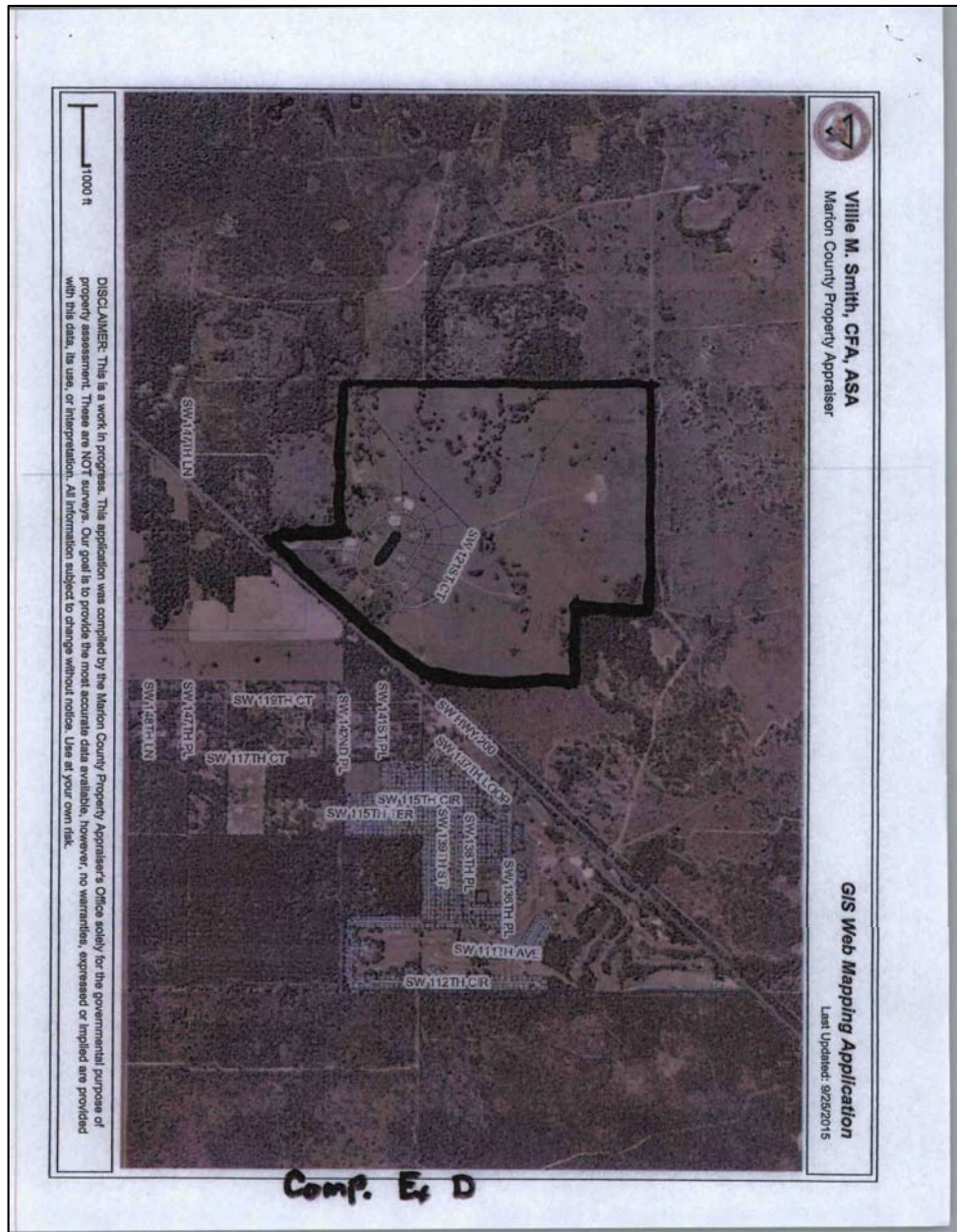
O-117



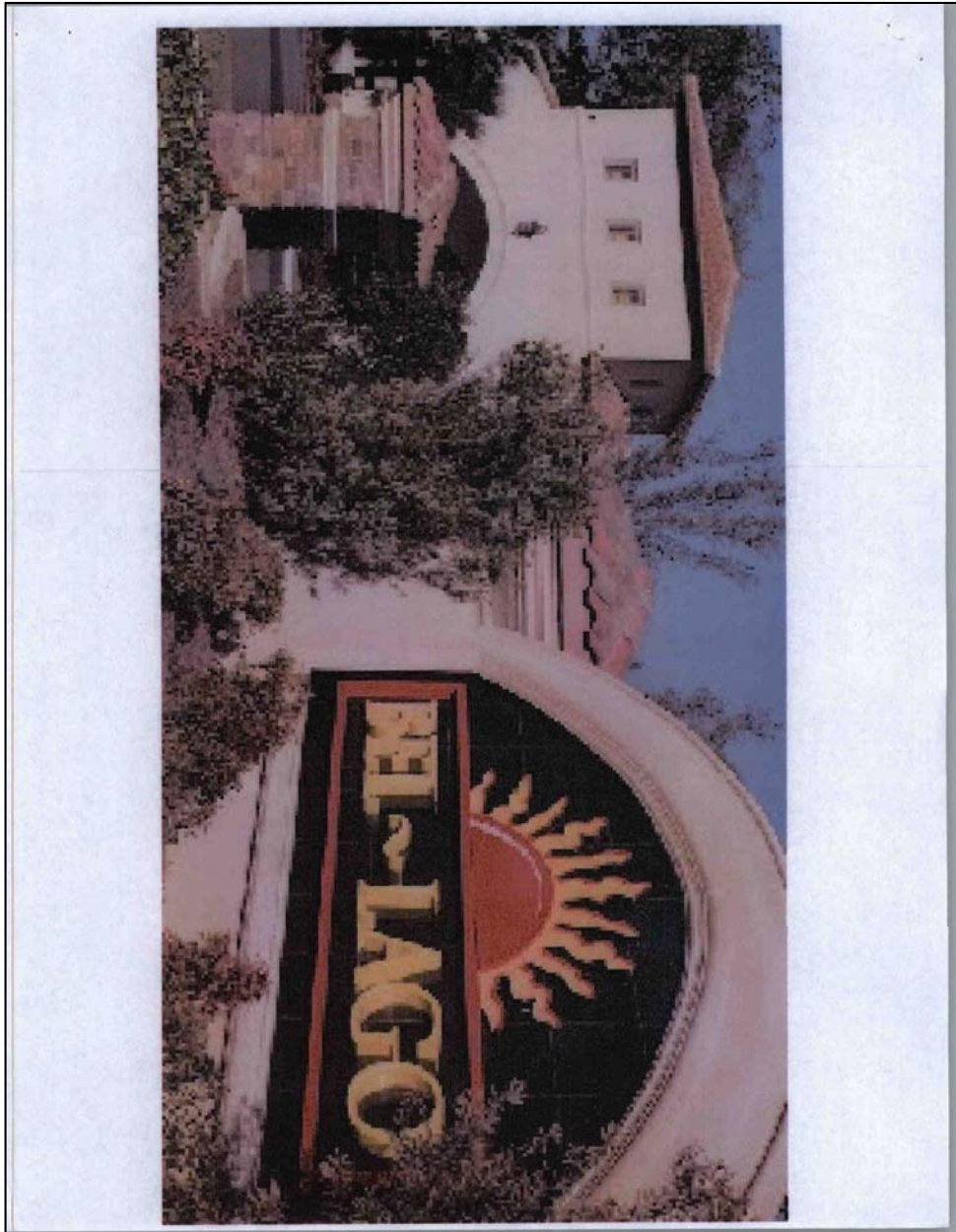


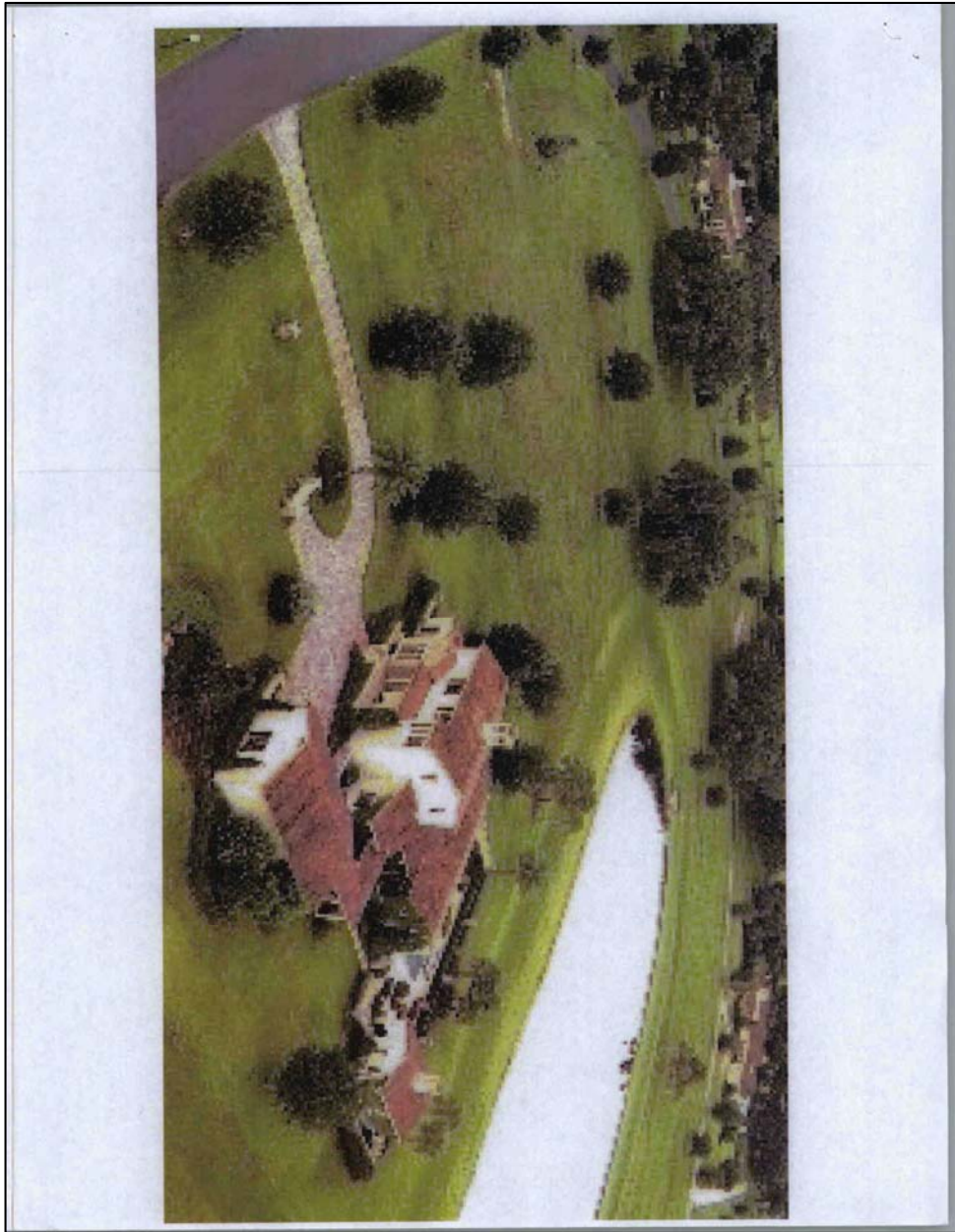


O-120



Company and Organization Comments





COMPANIES AND ORGANIZATIONS

CO6 – Dutch Bend LLC

Dutch Bend LLC
2544 Willow Point Road
Alexander City, AL 35010

October 14, 2015

Via Electronic Filing

Ms. Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426


RE: Comments for the Southeast Market Pipelines Project

Sabal Trail Transmission, LLC	Docket Nos. PF14-1-000
Florida Southeast Connection, LLC	PF14-2-000
Transcontinental Gas Pipe Line Company, LLC	PF14-6-000

Dear Secretary Bose:

Dutch Bend LLC submits the attached comments on the draft environmental impact statement for the above-referenced projects. Dutch Bend believes that its concerns expressed in comments on the scoping of the environmental impact statement have not been adequately addressed in the draft EIS by any of the applicants or by FERC. Only cursory mention of these concerns was made public by the applicants and no references to any scientific or analytical studies were cited.

Very truly yours,


Steve R. Forehand
Manager

CO6 – Dutch Bend LLC (cont'd)

20151015-5002 FERC PDF (Unofficial) 10/14/2015 5:00:50 PM

**DOCUMENT SUBMITTED BY
DUTCH BEND LLC
IN CONNECTION WITH
THE DRAFT
ENVIRONMENTAL IMPACT STATEMENT
FOR THE
SOUTHEAST MARKET PIPELINES PROJECT
FERC DOCKETS BELOW**

**Sabal Trail Transmission, LLC
Florida Southeast Connection, LLC
Transcontinental Gas Pipe Line Company, LLC**

**Docket Nos. PF14-1-000
PF14-2-000
PF14-6-000**

Resource Area – Water Resources

Sabal Trail Project

The Sabal Trail Project proposes to cross two bodies of water near Lake Martin in Alabama. One of these waters, Hillabee Creek, is a major tributary to the Tallapoosa River. The other water crossing is the Tallapoosa River itself. Dutch Bend LLC requests that FERC require modeling to predict the environmental impact of the following issues:

- | | |
|-------|---|
| CO6-1 | • What is the impact of natural gas leaks in these water crossings and the consequential impact on the integrity of the drinking water of the City of Alexander City and the Central Elmore Water Authority? |
| CO6-2 | • How would natural gas leaks pollute the water and how far would the pollution plume travel downstream? |
| CO6-3 | • How would natural gas in the water impact aquatic life in these waters? |
| CO6-4 | • Hillabee Creek has a fragile population of Redeye Bass. These bass only live in swift moving streams and are not prevalent in the Tallapoosa River beyond the mouth of Hillabee Creek. How will the Sabal Trail project impact the Redeye Bass population? |
| CO6-5 | This species is also sensitive to siltation caused by erosion of ground disturbances. How will Sabal Trail monitor such siltation and its impact on the Redeye Bass? Dutch Bend LLC understands that the crossings themselves will be underground but the adjacent excavation will be above ground with great potential for sediment run-off. |
| CO6-6 | • How would Sabal Trail notify and protect the public in the event of natural gas leaks in the water? |
| CO6-7 | • What is the economic impact on property values from natural gas leaks in the water? |
| CO6-8 | • What is the economic impact on recreation on adjacent property as a result of natural gas leaks? |

- CO6-1 Each Applicant has developed plans to minimize the potential for and address any spill or release of hazardous materials during construction, which are included in Appendix I and discussed in section 3.3.2.4 of the EIS. As noted in section 3.3.2.2, no potable water intakes are located within 3 miles of the SMP Project; therefore, we conclude that the project would not impact any drinking water supplies obtained from surface waters. In addition, unlike a release of crude oil or refined product, a natural gas leak would quickly dissipate to the atmosphere and not contaminate subsurface media.
- CO6-2 See response to comment CO6-1. The distance gas would travel downstream would be on the order of feet, depending on the velocity and depth of the waterbody where a release occurs.
- CO6-3 Section 3.7.2.10 has been added to the EIS to analyze potential natural gas leak impacts on aquatic species.
- CO6-4 As stated in section 3.7.2.8, Sabal Trail would cross Hillabee Creek and the Tallapoosa River using the HDD method, which would avoid direct impacts on these waterbodies. Implementation of the soil erosion control and restoration measures discussed throughout the EIS would further minimize or avoid impacts on these waterbodies and fisheries.
- CO6-5 See the response to comment CO6-4.
- CO6-6 Per DOT requirements, the Applicants would be required to develop emergency response plans in coordination with state and local officials. These emergency procedures would provide for adequate means of communication, notification, and coordination with appropriate fire, police, and other public officials, as well as for the availability of personnel, equipment, tools, and materials needed to respond to an emergency.
- CO6-7 As discussed in section 3.13, the potential for a natural gas leak to occur from the proposed facilities is very low. Also, as discussed in section 3.3.2.4, natural gas, if released, is not water soluble, and would dissipate into the air without affecting water quality. Therefore, the potential for a natural gas leak to occur in a quantity large enough to significantly and adversely affect waterbodies, and any associated aquatic life, recreational opportunities, property values, etc., is very low.
- CO6-8 See the response to comment CO6-7.

CO6 – Dutch Bend LLC (cont'd)

20151015-5002 FERC PDF (Unofficial) 10/14/2015 5:00:50 PM

Hillabee Expansion

- | | |
|--------|---|
| CO6-9 | Transcontinental plans to significantly expand its underground storage of natural gas near the compression station to be constructed by Sabal Trail. A portion of this storage project would cross Hillabee Creek. Dutch Bend LLC requests that FERC require modeling to predict the environmental impact of the following issues: |
| CO6-10 | <ul style="list-style-type: none"> • What is the impact of natural gas leaks in the Hillabee Creek crossing and the consequential impact on the integrity of the drinking water of the City of Alexander City and the Central Elmore Water Authority? |
| CO6-11 | <ul style="list-style-type: none"> • How would natural gas leaks pollute the water and how far would the pollution plume travel downstream? |
| CO6-12 | <ul style="list-style-type: none"> • How would natural gas in the water impact aquatic life in these waters? |
| CO6-13 | <ul style="list-style-type: none"> • Hillabee Creek has a fragile population of Redeye Bass. These bass only live in swift moving streams and are not prevalent in the Tallapoosa River beyond the mouth of Hillabee Creek. How will the Transcontinental project impact the Redeye Bass population? This species is also sensitive to siltation caused by erosion of ground disturbances. How will Transcontinental monitor such siltation and its impact on the Redeye Bass? Dutch Bend LLC understands that the crossing itself will be under the creek but the adjacent excavation will be above ground with great potential for sediment run-off. |
| CO6-14 | <ul style="list-style-type: none"> • How would Transcontinental notify and protect the public in the event of natural gas leaks in the water? |
| CO6-15 | <ul style="list-style-type: none"> • What is the economic impact on property values from natural gas leaks in the water? |
| CO6-16 | <ul style="list-style-type: none"> • What is the economic impact on recreation on adjacent property, Hillabee Creek and Lake Martin as a result of natural gas leaks? |
| CO6-17 | |

Resource Area – Safety

For both the Hillabee expansion and the Sabal Trail projects, please address the following issues:

- | | |
|--------|--|
| CO6-18 | <ul style="list-style-type: none"> • In the event of a natural gas leak, what kind of rapid response program would be in place to respond to the leak and to notify the public of any danger? |
| CO6-19 | <ul style="list-style-type: none"> • What are the emergency response capabilities of the local emergency responders in the event of a pipeline explosion? Given the amount of natural gas stored underground, an explosion could be catastrophic. |
| CO6-20 | <ul style="list-style-type: none"> • What is the blast radius of a pipeline explosion? |
| CO6-21 | <ul style="list-style-type: none"> • How will noise levels of the compression station be kept under control? |

- | | |
|--------|--|
| CO6-9 | Transco is not requesting approval of any underground storage in this proceeding. |
| CO6-10 | See the response to comment CO6-1. |
| CO6-11 | See the response to comment CO6-2. |
| CO6-12 | See the response to comment CO6-3. |
| CO6-13 | See section 3.7.2 of the EIS for a discussion of potential impacts on fisheries from the open cut crossing method proposed at Hillabee Creek. |
| CO6-14 | Implementation of the soil erosion control and restoration measures discussed throughout the EIS would minimize or avoid impacts to these waterbodies and fisheries. |
| CO6-15 | See the response to comment CO6-6. |
| CO6-16 | See the response to comment CO6-7. |
| CO6-17 | See the response to comment CO6-7. |
| CO6-18 | See the response to comment CO6-6. |
| CO6-19 | Table 3.10.1-5 lists the number and distance to local fire departments, hospitals, and police/sheriff departments in counties affected by the project. Section 3.13.1 addresses local emergency response, including DOT requirements for the Applicants to establish and maintain liaison with appropriate fire, police, and public officials to learn the resources and responsibilities of each organization that may respond to a natural gas pipeline emergency, and to coordinate mutual assistance. The Applicants would utilize the emergency procedures contained in each project emergency response plan, which require communication with emergency responders on an annual basis. Local contact phone numbers, external contact information, equipment or resources available for mobilization, and any specific procedures to be followed for the Applicants would be incorporated into the emergency response plans prior to commencement of pipeline operations. The Applicants would also establish a continuing education program to enable customers, the public, government officials, and those engaged in excavation activities to recognize a gas pipeline emergency and report it to appropriate public officials. |
| CO6-20 | The potential impact radius is described in section 3.13.1. |
| CO6-21 | The noise from compressor stations associated with the project would be controlled through the installation of noise control equipment (such as acoustically treated buildings, turbine exhaust mufflers, and turbine air intake silencers). Post-construction noise surveys would verify the effectiveness of these controls and ensure that the stations meet the FERC noise guideline and applicable state/local noise limits. |

COMPANIES AND ORGANIZATIONS

CO7 – Lake Martin Resource Association



2544 WILLOW POINT ROAD • ALEXANDER CITY, ALABAMA 36010 • 256-529-0835 • FAX 256-212-1444

October 14, 2015

Via Electronic Filing

Ms. Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

RE: Comments for the Southeast Market Pipelines Project

Sabal Trail Transmission, LLC	Docket Nos.	PF14-1-000
Florida Southeast Connection, LLC		PF14-2-000
Transcontinental Gas Pipe Line Company, LLC		PF14-6-000

Dear Secretary Bose:

The Lake Martin Resource Association, Inc. ("LMRA") is a non-profit corporation currently comprised of 1,200 members. The Certificate of Incorporation of LMRA (formerly known as the Lake Martin Recreation Association, Inc.) states that its purpose is:

"To improve and increase the quality and quantity of recreational opportunities on the water and the land adjacent to the water that makes up the reservoir known as Lake Martin, the same being situated in East Alabama and in the Counties of Tallapoosa, Elmore and Coosa. It shall further be the purpose of this corporation to foster stable water conditions; improve the fish and stock of fish; organize and engage in recreational activities for people of all ages; improve markings and directions for people who use the waterway; to aid and develop the stopping of pollution of said water; to work with all appropriate federal, state, and local agencies to make this Lake a safe place for fishermen, skiers, boaters, and all other persons who want and wish to use this water and its adjacent areas for the purpose of recreation and sport."

LMRA was incorporated in 1970 and has worked for the betterment of Lake Martin since that time.

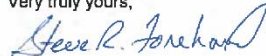
"For a Better Lake Martin Today and Tomorrow"

CO7 – Lake Martin Resource Association (cont'd)

LMRA respectfully submits the attached comments on the draft environmental impact statement for the above-referenced project. LMRA believes that its concerns expressed in comments on the scoping of the environmental impact statement have not been adequately addressed in the draft EIS by any of the applicants or by FERC. Only cursory mention of these concerns was made public by the applicants and no references to any scientific or analytical studies were cited.

If you have any questions regarding these comments, please contact Steve Forehand, Legal Officer of LMRA, at (256) 329-0835.

Very truly yours,



Steve R. Forehand
Legal Officer

SRF/mc

CO7 – Lake Martin Resource Association (cont'd)

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**DOCUMENT SUBMITTED BY
LAKE MARTIN RESOURCE ASSOCIATION (LMRA)
IN CONNECTION WITH
THE DRAFT
ENVIRONMENTAL IMPACT STATEMENT
FOR THE
SOUTHEAST MARKET PIPELINES PROJECT
FERC DOCKETS BELOW**

**Sabal Trail Transmission, LLC
Florida Southeast Connection, LLC
Transcontinental Gas Pipe Line Company, LLC**

**Docket Nos. PF14-1-000
PF14-2-000
PF14-6-000**

Resource Area – Water Resources

Sabal Trail Project

The Sabal Trail Project proposes to cross two bodies of water near Lake Martin in Alabama. One of these waters, Hillabee Creek, is a major tributary to the Tallapoosa River. The other water crossing is the Tallapoosa River itself. LMRA requests that FERC require modeling to predict the environmental impact of the following issues:

- | | |
|-------|---|
| CO7-1 | <ul style="list-style-type: none"> What is the impact of natural gas leaks in these water crossings and the consequential impact on the integrity of the drinking water of the City of Alexander City and the Central Elmore Water Authority? |
| CO7-2 | <ul style="list-style-type: none"> How would natural gas leaks pollute the water and how far would the pollution plume travel downstream? |
| CO7-3 | <ul style="list-style-type: none"> How would natural gas in the water impact aquatic life in these waters? |
| CO7-4 | <ul style="list-style-type: none"> Hillabee Creek has a fragile population of Redeye Bass. These bass only live in swift moving streams and are not prevalent in the Tallapoosa River beyond the mouth of Hillabee Creek. How will the Sabal Trail project impact the Redeye Bass population? |
| CO7-5 | <ul style="list-style-type: none"> This species is also sensitive to siltation caused by erosion of ground disturbances. How will Sabal Trail monitor such siltation and its impact on the Redeye Bass? LMRA understands that the crossings themselves will be underground but the adjacent excavation will be above ground with great potential for sediment run-off. |
| CO7-6 | <ul style="list-style-type: none"> How would Sabal Trail notify and protect the public in the event of natural gas leaks in the water? |
| CO7-7 | <ul style="list-style-type: none"> What is the economic impact on property values from natural gas leaks in the water? |
| CO7-8 | <ul style="list-style-type: none"> What is the economic impact on recreation on Lake Martin as a result of natural gas leaks? |
| CO7-9 | <ul style="list-style-type: none"> In the event of a natural gas leak, what kind of rapid response program would be in place to respond to the leak and to notify the public of any danger? |

- | | |
|-------|------------------------------------|
| CO7-1 | See the response to comment CO6-1. |
| CO7-2 | See the response to comment CO6-2. |
| CO7-3 | See the response to comment CO6-3. |
| CO7-4 | See the response to comment CO6-4. |
| CO7-5 | See the response to comment CO6-4. |
| CO7-6 | See the response to comment CO6-6. |
| CO7-7 | See the response to comment CO6-7. |
| CO7-8 | See the response to comment CO6-7. |
| CO7-9 | See the response to comment CO6-6. |

CO7 – Lake Martin Resource Association (cont'd)

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Hillabee Expansion

- | | |
|--------|---|
| CO7-10 | Transcontinental plans to significantly expand its underground storage of natural gas near the compression station to be constructed by Sabal Trail. A portion of this storage project would cross Hillabee Creek. LMRA requests that FERC require modeling to predict the environmental impact of the following issues: |
| CO7-11 | <ul style="list-style-type: none"> • What is the impact of natural gas leaks in the Hillabee Creek crossing and the consequential impact on the integrity of the drinking water of the City of Alexander City and the Central Elmore Water Authority? |
| CO7-12 | <ul style="list-style-type: none"> • How would natural gas leaks pollute the water and how far would the pollution plume travel downstream? |
| CO7-13 | <ul style="list-style-type: none"> • How would natural gas in the water impact aquatic life in these waters? |
| CO7-14 | <ul style="list-style-type: none"> • Hillabee Creek has a fragile population of Redeye Bass. These bass only live in swift moving streams and are not prevalent in the Tallapoosa River beyond the mouth of Hillabee Creek. How will the Transcontinental project impact the Redeye Bass population? This species is also sensitive to siltation caused by erosion of ground disturbances. How will Transcontinental monitor such siltation and its impact on the Redeye Bass? LMRA understands that the crossing itself will be under the creek but the adjacent excavation will be above ground with great potential for sediment run-off. |
| CO7-15 | <ul style="list-style-type: none"> • How would Transcontinental notify and protect the public in the event of natural gas leaks in the water? |
| CO7-16 | <ul style="list-style-type: none"> • What is the economic impact on property values from natural gas leaks in the water? |
| CO7-17 | <ul style="list-style-type: none"> • What is the economic impact on recreation on Hillabee Creek and Lake Martin as a result of natural gas leaks? |
| CO7-18 | <ul style="list-style-type: none"> • In the event of a natural gas leak, what kind of rapid response program would be in place to respond to the leak and to notify the public of any danger? |
| CO7-19 | <ul style="list-style-type: none"> • In the event of a natural gas leak, what kind of rapid response program would be in place to respond to the leak and to notify the public of any danger? |

LMRA believes these issues are critical to protect the integrity of Lake Martin, Alabama's only lake to achieve Treasured Alabama Lake status pursuant to regulations issued by the Alabama Department of Environmental Management.

LMRA appreciates the opportunity to comment on the scoping plans for the environmental impact statement for the proposed project.

- | | |
|--------|-------------------------------------|
| CO7-10 | See the response to comment CO6-9. |
| CO7-11 | See the response to comment CO6-2. |
| CO7-12 | See the response to comment CO6-2. |
| CO7-13 | See the response to comment CO6-3. |
| CO7-14 | See the response to comment CO6-13. |
| CO7-15 | See the response to comment CO6-14. |
| CO7-16 | See the response to comment CO6-6. |
| CO7-17 | See the response to comment CO6-7. |
| CO7-18 | See the response to comment CO6-7. |
| CO7-19 | See the response to comment CO6-6. |

COMPANIES AND ORGANIZATIONS

CO8 – Palm Beach County Environmental Coalition

Panagioti Tsolkas, Lake Worth, FL.

Comments on Draft EIS for the SMP project

Florida Southeast Connection, LLC Docket Nos. CP14-554-000

Transcontinental Gas Pipe Line Company, LLC CP15-16-000

Sabal Trail Transmission, LLC CP15-17-000

From Panagioti Tsolkas

of the Palm Beach County Environmental Coalition

Please Note: This comment applies to all three docket numbers included in the SMP.

Regarding Cumulative Impacts

CO8-1 | FERC staff have not sufficiently consulted with land managing agencies, state and local planning agencies, and other appropriate entities covering the full route of the SMP project to identify past, present, and reasonably foreseeable future projects, including roads, bridges, mining, and large commercial/industrial/residential developments in the Area of Impact that could be affected, not only by the Sabal Trail Project, but the entire SMP, in order to provide an accurate and complete assessment of impacts that meets the legal requirements under NEPA.

CO8-2 | The Draft EIS admits in 3.14.2 that "adding the 4,356 acres of forest that would be cleared for the SMP Project with the forest clearing of other projects/actions would contribute to a cumulative impact within the regions of influence. The actual amount and timing of forest clearing, and the restoration or mitigation measures that other project proponents may implement is unknown; thus, the cumulative impact of the SMP Project and these other projects cannot be reasonably quantified."

This does not meet the NEPA requirement of a hard, thorough look at cumulative impacts.

CO8-3 | Also of primary concern are existing energy-related facilities which would be on the current or foreseeable future routes of the SMP, as well as those using the gas transported by the SMP, which will likely be used in facilities which are not along the immediate route, but would receive

CO8-1 | We disagree. The analysis provided in section 3.14 adequately assesses cumulative impacts and is consistent with NEPA requirements.

CO8-2 | See the response to comment C08-1 and CO13-5.

CO8-3 | Existing energy projects were considered in section 3.14.1.1.

CO8 – Palm Beach County Environmental Coalition (cont'd)

O-131

- CO8-3 (cont'd) | the gas through other existing pipelines, such as the Gulfstream, and others, which intersect with the SMP.
- CO8-4 | In 3.14.3, the Draft EIS notes that " [Greenhouse Gas, GHG] emissions are a primary cause of climate change (EPA, 2014c), and that along with the massive CO2 emissions from gas, it also emits large quantities of methane (CH4), which is the second most prevalent GHG, "accounting for 9 percent of the total U.S. emissions (EPA, 2014e)."
- Additionally, it states that "although the amount of CH4 being emitted into the atmosphere is significantly less than that of CO2, the comparative impact of CH4 on climate change over a 100-year period... is more than 20 times greater (EPA, 2014f). Fugitive CH4 emissions are common in natural gas systems and can occur during natural gas production, transmission, storage, and distribution (EPA, 2014g)."
- The EIS attempts to make the excuse that "[c]urrently, there is no standard methodology to determine how the proposed SMP Project's incremental contribution to GHGs would translate into physical effects of the global environment."
- Despite acknowledging "that operation of SMP Project would result in the distribution and consumption of about 1,000,000 Dth/d of natural gas."
- Again, this does not meet the NEPA requirement of a hard, thorough look at cumulative impacts.
- CO8-5 | In section 4.0 on Alternatives, the Draft EIS states, "because the purpose of the SMP Project is to transport natural gas, and the generation of electricity from renewable energy sources or the gains realized from increased energy efficiency and conservation are not transportation alternatives, they are not considered or evaluated further in this analysis."
- By not evaluating these options, the EIS is not accurately determining a need for this project which can justify the damage it will be causing, as required by NEPA.
- CO8-6 | The increase in the quantity of gas transported to gas-fired power plants--directly on the route and otherwise--will create an increasing impact to quality of air and water, human health

- CO8-4 | See section 3.14.4 for additional information related to the GHG emissions and climate change.
- CO8-5 | Section 1.1 details the Applicants' stated purpose and need for the SMP Project and references the long term precedent agreements that the Applicants have entered into with their customers and evidence of market need. Further, we maintain that alternative energy supplies and conservation measures would not meet the overall purpose of the Applicants' proposal which is to transport natural gas to Florida for electric generation.
- CO8-6 | Cumulative impacts on the natural environment are described in section 3.14. Consistent with CEQ guidance, regions of influence were identified for each resource potentially affected by the SMP Project and a cumulative impacts analysis was completed accordingly.

CO8 – Palm Beach County Environmental Coalition (cont'd)

O-132

CO8-6
(cont'd)

(including that of communities recognized under the Environmental Justice Act) and Threatened/Endangered species in the entire Southeastern US.

These power plants include, but are not limited to:

-Barley Barber, FPL plant in Martin County

-West County Energy Center, FPL plant in western Palm Beach County

-Riviera Beach, FPL plant in eastern Palm Beach County

-Port Everglades, FPL plant in Broward County

-Treasure Coast Energy Center, FMPA plant in St. Lucie County

-Crystal River plant, a proposed Progress Energy plant in the Nature Coast region

-Hendry County FPL plant, proposed by FPL, currently in zoning and permitting phase.

These plants, their associated pipelines, compression stations, and other related facilities in the region, combine to produce approx 15,000 megawatts or more of fossil fuel power.

Some rough estimates on the impacts of continuing/beginning to fuel these facilities with the gas from SMP include, but are not limited to*:

-45 billion tons of CO2

-15,000 tons of toxic emissions including, NOx, SOx, VOx, PM, Mercury, and others

-145 billion gallons per day in cooling water, much of it injected or stored in ponds contaminated with chemicals including hexavalent chromium.

(*Numbers are based from existing permits for several of the above listed facilities.)

CO8 – Palm Beach County Environmental Coalition (cont’d)

CO8-6 (cont’d)	FERC staff must require the inclusion of a description of the cumulative and/or overlapping impacts these existing projects and the planned SMP Project would have on various environmental resources (wildlife, water, air, health, culture, history, etc.)
	It is not legally sufficient to simply compare gas to other dirtier forms of energy, nor do economic benefits negate ecological damage.
CO8-7	If the project does not stand up to the public interest test, meaning if it is determined detrimental to the health, safety and well-being of the public--which includes the right to enjoy the beauty of nature--the project must be denied.
CO8-8	Re-routing the project will not address these concerns. Yet, the No Action Alternative will address the expressed concerns of thousands of land owners, residents and environmentalists who have commented.

- CO8-7
CO8-8
- Comment noted.
Comment noted. As stated in section 4.1, the No Action Alternative would avoid the impacts associated with the SMP Project, but would not meet the need for the natural gas capacity of the project as expressed in the long-term precedent agreements between the Applicants and their customers. Section 1.2.1 explains that the Commission will weigh various factors in determining if the SMP Project is in the public convenience and necessity.

COMPANIES AND ORGANIZATIONS

CO9 – WWALS

O-134

Christopher J Mericle, Jasper, FL.

To:

John V. Peconom

Project Manager

Dear Sir,

I have several questions and comments about the DEIS.

CO9-1 | -How can FERC even suggest that the "SMP Project would not result in a significant impact on the environment." until all the data is evaluated?

CO9-2 | 1) Pages 1494 and 1495 of the DEIS are the site plan and profile of the Withlacoochee and Suwannee Rivers HDD. This particular route and crossings were abandoned by SABAL Trail in October of 2014. Where is the site plan and profile for the current Suwannee River HDD crossing under the Suwannee River State Park?

The site plan and profile has technical information included on it that the public deserves to have an opportunity to have evaluated.

CO9-3 | 2) On September 30, 2015 Sabal Trail filed with FERC "Comments on the Southeast Market Pipelines Project" Accession number 20150930-5037. Within this filing there is "Table 6.5-1 Karst features within .25 miles of the pipeline". This table apparently identifies all Karst features within .25 miles of the pipeline for the entire route. The filing of this information is well after the release of the DEIS.

How can a complete evaluation be performed with the information included within the table 6.5-1 omitted from the review process?

Furthermore, after careful review I determined that the table 6.5-1 is referring to the abandoned route across the Withlacoochee River, not the current proposed route, an 11 mile reroute under the Suwannee River and State Park.

Where is the information for the current proposed route?

CO9-4 | 3)As I was not able to evaluate data for the current proposed reroute under the Suwannee river with regards to table 6.5-1, I decided to compare the findings in the table with known findings of the abandoned route at the Withlacoochee crossing.

CO9-1 | The EIS details the information we reviewed and which was of sufficient detail to support our conclusions regarding the potential environmental impacts of the SMP Project.

CO9-2 | The FERC inadvertently included drawings from the originally proposed crossing locations for the Withlacoochee River and Suwannee River in the draft EIS, and not the current proposed crossing of the Suwannee River. However, the current proposed crossing was evaluated throughout the draft EIS, and the correct drawing depicting the proposed crossing of the Suwannee River is included in the final EIS. This drawing was filed by Sabal Trail on February 20, 2015 as part of a supplemental filing in Appendix A under accession number 20150220-5131.

CO9-3 | Table 6.5-1 was included in Sabal Trail's draft Resource Report 6 filed on June 16, 2014, and in its final Resource Report 6 filed on November 21, 2014. A revised table 6.5-1 was filed on February 20, 2015 incorporating the current HDD crossing location of the Suwannee River. In its November 9, 2015 Response to Comments on the draft EIS, Sabal Trail confirmed that table 6.5-1 filed on September 30, 2015 is applicable to the current proposed route, including the crossing of the Suwannee River.

CO9-4 | See the response to comments CO9-2 and CO9-3. See also the response to comment FA2-27 and section 3.1.2.3, which explain that karst geologic conditions were adequately characterized for our analysis of the SMP Project.

CO9 – WWALS (cont'd)

O-135

CO9-4
(cont'd)

Table 6.5-1 "Karst features within .25 miles of the pipeline" shows that between MP 263.5 and MP 264.5 (Withlacoochee Crossing area) 8 closed Topo Depressions were found.

In Figure 2 of "Karst Features and Hydrogeology of the Proposed Sabal Trail Natural Gas Transmission Pipeline Withlacoochee River Crossing" by Florida Geologist David Brown (filed with FERC 8-14-2014 Accession number 20140814-5007) it shows that in the same area as mentioned above there is:

46 Sinkholes

4 Karst windows

1 Karst Valley (Transecting the abandoned route)

8 Springs

This is clearly a huge discrepancy. I thought I made an error. After reviewing the information again I feel that what I have stated is correct. You can clearly see the "MP 264" on page 1494 of the DEIS at the abandoned Withlacoochee Crossing site.

The way I see it is that the report filed Sept. 30th and the information included was Omitted from the DEIS and the information in the report is erroneous and incomplete and brings up questions that need answering. Such as:

Why the huge discrepancy between table 6.5-1 and known findings in David Brown's report?

If the information provided to FERC from Sabal Trail on this small but very critical and sensitive site is wrong, why should we believe that the information Sabal provided anywhere is correct?

How many reroutes are still to this date not fully evaluated?

Will public comment be allowed when the full information on all reroutes is finally is published?

What is the process that FERC uses to verify that the information Sabal Trail is providing is correct?

According to FERC River crossings are of utmost importance. Has anyone from FERC visited the Suwannee River Crossing site?

I have addressed just a small fraction of the proposed route and information provided and not provided in the DEIS. If you extrapolate the inconsistencies, omissions and errors over the entire route you will have an enormous amount of information still unaccounted for in the DEIS. How can we, the public, be assured that a proper evaluation is being performed by FERC over the entire proposed route?

Chris Mericle

WWALS Watershed Coalition Board Member

Waterkeeper Affiliate for the Upper Suwannee, Withlacoochee and Alapaha Rivers

COMPANIES AND ORGANIZATIONS

CO10 – WWALS

Christopher J Mericle, Jasper, FL.

On page 3-268 of the DEIS Dot Safety Standards are addressed. Here is an excerpt from that page:

"The pipeline and aboveground facilities associated with the SMP Project must be designed, constructed, operated, and maintained in accordance with DOT Minimum Federal Safety Standards in 49 CFR 192. The regulations are intended to ensure adequate protection for the public and to prevent natural gas facility accidents and failures. DOT specifies material selection and qualification; minimum design requirements; and protection from internal, external, and atmospheric corrosion.

The DOT also defines area classifications, based on population density in the vicinity of pipeline facilities, and specifies more rigorous safety requirements for populated areas. The class location unit is an area that extends 220 yards on either side of the centerline of any continuous 1-mile length of pipeline. The four area classifications are defined below:

Class 1 – Location with 10 or fewer buildings intended for human occupancy.

Class 2 – Location with more than 10 but less than 46 buildings intended for human occupancy.

Class 3 – Location with 46 or more buildings intended for human occupancy or where the pipeline lies within 100 yards of any building, or small well-defined outside area occupied by 20 or more people on at least 5 days a week for 10 weeks in any 12-month period.

Class 4 – Location where buildings with four or more stories aboveground are prevalent."

CO10-1

It is quite interesting to me that all the comments I have made and heard about the safety of this Pipeline have been met with assurances from Sabal Trail that it is perfectly safe. Yet here in the DEIS we have a whole section devoted to safety. Also, DOT bases the material and Design of the pipeline on population density- the higher the population, the more stringent the design and construction.

Why would that be the case if the pipeline design and construction is safe?

It certainly sounds as if the lives of people in the city are more precious than those of us that live in the rural areas.

CO10-1

The DOT safety standards were enacted to ensure that people and the environment are protected from the risk of pipeline incidents. In addition, the higher safety factors that are required in class locations representing more populated areas are in place to provided added protection to people and the environment (this should not be interpreted to mean rural areas have lower safety standards). As such, we conclude that, with the implementation of the DOT safety standards during operation of the Sabal Trail Project and associated aboveground facilities, the public would not face a significant increase safety risk.

Chris Mericle
WWALS Watershed Coalition Board Member
Waterkeeper Affiliate for the Upper Suwannee, Withlacoochee and Alapaha Rivers

COMPANIES AND ORGANIZATIONS

CO11 – WWALS

Deanna Mericle, Jasper, FL.

Deanna Mericle's comments to FERC regarding the Sabal Trail Transmissions natural gas pipeline October 25, 2015

The conclusion of the FERC DEIS states that the Sabal Trail Transmission natural gas pipeline will have "no significant impact" on the environment. I beg to disagree.

CO11-1

An environmental concern that I have has to do with the Suwannee River crossing and the area of the pipeline that will cross the Falmouth Cathedral Cave system, a spring conduit that leads directly to the Suwannee River at Lime Run Spring in the Suwannee River State Park. No mention of the Falmouth Cathedral Cave system can be found in the DEIS. If it is there, please help me find it.

As Sabal Trail is aware, the area near the confluence of the Withlacoochee River and the Suwannee River in Florida, has many underground underwater cave systems that have been explored and mapped by cave divers. That means they are large enough for human beings with scuba equipment to swim through them. The Falmouth Cathedral cave system is miles long and it has along its mapped path many sinkholes and karst windows that indicate previous collapse of the roof of the cave system. These are clearly visible in the LIDAR maps of the area. I have personally seen a karst window over the Falmouth Cathedral Cave System near the proposed pipeline route that is the size of a football field. Collapse of other areas along the cave system is a very real possibility. Did Sabal Trail even evaluate this area thoroughly?

Sabal Trail proposes to cross the Falmouth Cathedral Cave system near where Sabal Trail will be drilled under Highway 90. Also near this area are several large sinkholes, one of which is right next to highway 90 just east of the proposed crossing of the highway. My concern is that the placement of the Sabal Trail pipeline across the Falmouth Cathedral Cave system will cause collapse of the cave, especially since it is so near the Highway 90 crossing. Another concern is that drilling the Sabal Trail pipeline under highway 90 so close to a large sinkhole will cause more sinkholes to occur or enlarge those already present, possibly encroaching under the highway itself and into the Falmouth Cathedral cave system.

CO11-1

Section 3.3.1.6 of the EIS identifies the Falmouth cave and section 3.3.1.7 explains why construction of the project would not pose a significant risk to the Falmouth cave or other known caves in the area. Figure 3.3.1-3 depicts springs, caves, fracture traces, and hydrologic information for the Floridan Aquifer at the proposed Suwannee River crossing. See also the response to comment CO9-4.

Section 3.8.1 identifies federally listed threatened and endangered species that could be affected by the SMP Project, including the Squirrel Chimney Cave Shrimp, and concludes that the project would have no effect on this species. The pallid cave crayfish is a state listed species that occurs in caves in northern Florida and has been added to table 3.8.2-2 of the EIS.

CO11 – WWALS (cont'd)

O-140

CO11-1 (cont'd)	<p>According to the Suwannee River State Park Management Plan (SRSPMP), 2002, which can be easily found on the State Park's website http://www.dep.state.fl.us/parks/planning/parkplans/SuwanneeRiverStatePark.pdf, there are endangered species that live in the underground spring caves and conduits in and near the park. See Addendum 5, pg. 4 of the SRSPMP. For example, the pallid crayfish is listed as G2, G3 and S2, S3 which means:</p> <p>G2-Imperiled globally because of rarity.</p> <p>G3-Either very rare and local throughout its range (21-100 occurrences or less than 10,000 individuals) or found locally in a restricted range or vulnerable to extinction.</p> <p>S2-Imperiled in Florida because of rarity (6-20 occurrences or less than 3,000 individuals) or because of vulnerability to extinction due to some natural or man-made factor.</p> <p>S3-very rare and local throughout its range.</p> <p>Putting the pipeline where it is now proposed to be routed endangers these species even further. The installation of the pipeline could cause collapse of their habitat. If the pipeline intersects the spring conduits housing these creatures, it could destroy part of their habitat and leak gas into their habitat.</p> <p>FERC may believe that there is no significant environmental impact, but these cave and conduit systems are very important to the health of the ecosystems around the Suwannee River. What happens below the ground is just as important environmentally as what happens on the surface. Did FERC take this into consideration? Extinction is significant and permanent.</p> <p>Furthermore, the Falmouth Cathedral Cave system is just one of many mapped cave systems in the area near the Sabal Trail pipeline proposed route. However, not all of the cave systems have been explored and mapped and their locations are not predictable. At the Administrative Hearing in Florida, WWALS Watershed Coalition, Inc. vs Florida Department of Environmental Protection and Sabal Trail Transmission, Case 15-004975, dead head logger, Joe McClung testified that in his scuba diving explorations of the Suwannee River for dead head logs, he encountered very numerous spring vents on the floor of the river and underwater springs on the underwater banks of the river. Granted, it is illegal for him to log in the area of the Suwannee River State Park where the Sabal Trail Pipeline will cross, so that particular area</p>
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CO11-1
(cont'd)

has not been specifically explored, but it is likely that if the spring vents on the floor of the river are numerous north and south of the state park, they probably are numerous at the site of the pipeline crossing. These underwater spring vents were not accounted for by Sabal Trail and may indicate underground spring caves and conduits that may be intersected by the pipeline during HDD drilling. Intersecting these underground caves and conduits causes permanent damage to them. This is significant environmental impact, contrary to what the DEIS states.

The Suwannee River, with its many springs and spring cave systems is a source of pride and economic benefit to the citizens of the counties through which the river flows. Citizens from all over the country visit the Suwannee River State Park to enjoy the natural beauty of the area. The route that Sabal Trail presently proposes is too environmentally sensitive for the above stated reasons and I believe it has not been thoroughly evaluated by Sabal Trail.

Deanna Mericle
-member WWALS Watershed Coalition, Inc., Waterkeeper Affiliate for the watershed of the upper Suwannee River
-concerned citizen of Hamilton County, Florida

COMPANIES AND ORGANIZATIONS

CO12 – WWALS

20151026-5146 FERC PDF (Unofficial) 10/26/2015 6:01:11 AM

CO12-1 If you do a search of the DEIS for LIDAR you will find 5 entries were made in regards to LIDAR.
 1) Page 22 in the table of contents
 2) Page 104 where Sabal Trail tells how they used Lidar to locate karst features
 3) 2 entries are found on page 1494 the abandoned route under the Withlacoochee River
 4) the final mention of Lidar is on page 1499 Withlacoochee South HDD crossing

The entries on page 1494 and 1499 are a single line depicting the elevation. The information on page 1494 is no good due to the route being abandoned. So, truthfully there are only 3 entries in the DEIS of Lidar, one of which is in the table of contents.

Below is a LIDAR image of the Suwannee and Withlacoochee River Confluence Region and the Falmouth Cathedral Cave System. This map was obtained at the Suwannee River Water Management District, you can see their logo at the lower right corner. The red line on the map depicts the Falmouth Cathedral Cave System. The 2 black lines with circles around them indicate the approximate location of the proposed Sabal Trail pipeline where it will cross the Suwannee River and the Falmouth cave.

This Lidar image clearly shows how complex the geology is in the Suwannee -Withlacoochee confluence region. It also shows how extensive the Falmouth Cathedral Cave System is. The Falmouth Cathedral Cave is an underground spring conduit terminating at Lime run spring along the Suwannee River.

The dark blue spots along the cave path are karst windows. By definition in Florida Administrative code 18-21.003(64) karst windows are springs. These Karst windows/springs are not taken into consideration anywhere I can find in the DEIS. Did Sabal Trail provide FERC with any information regarding Falmouth cave and the karst windows/springs along its path?

In the recent DOAH Hearing "WWALS Watershed Coalition, inc. vs DEP and Sabal Trail" case # 15-4975, Senior Geologist for Sabal Trail, Greg Jones, testified that "Lidar was used to evaluate the entire pipeline route".

If in fact Lidar was used to evaluate even a small portion of the pipeline route would we not see more than 3 entries in the DEIS?

Where are all the Lidar Images that Sabal claims to have evaluated?

I know if I spent the time and money to evaluate the route with Lidar I would be showing it off!

Do the Lidar Images show something Sabal trail does not want us to see?

Chris Mericle
 WWALS Watershed Coalition Board Member
 Waterkeeper Affiliate for the Upper Suwannee, Withlacoochee and Alapaha Rivers

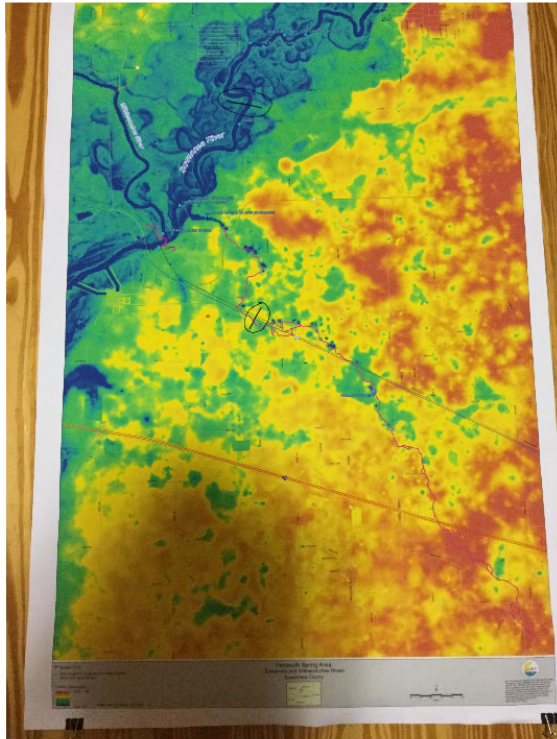
See Lidar image below

CO12-1

See the response to comment FA2-27 and sections 3.1 and 3.3 of the EIS which explain that LiDAR was one of several resources used to adequately characterize karst geologic and hydrogeologic conditions in the project area.

CO12 – WWALS (cont'd)

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O-143

Company and Organization Comments

COMPANIES AND ORGANIZATIONS

CO13 – Blue Ridge Environmental Defense League

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Blue Ridge Environmental Defense League

www.BREDL.org PO Box 88 Glendale Springs, North Carolina 28629 BREDL@skybesa.com (336) 982-2691

October 26, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

RE: Draft Environmental Impact Statement, CP15-17-000 – Sabal Trail Transmission, LLC

Dear Secretary Bose:

On behalf of the Blue Ridge Environmental Defense League and its chapters and members in Georgia, I write to address the draft environmental impact statement (DEIS) for the proposed Sabal Trail Pipeline project.

Overview

On November 21, 2014, Sabal Trail Transmission, LLC (“Sabal Trail”) filed an application under section 7(c) of the Natural Gas Act, requesting authorization to construct, own, and operate a new natural gas pipeline system (“Project”), including five compressor stations and appurtenances totaling 209,900 horsepower, across Alabama, Georgia, and Florida. If constructed, Sabal Trail would have approximately 481 miles of 36-inch-diameter natural gas

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CO13 – Blue Ridge Environmental Defense League (cont'd)

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pipeline beginning in Tallapoosa County, Alabama and ending in Osceola County, Florida. Project owner Sabal Trail Transmission, LLC is a joint venture of Spectra Energy Corp and NextEra Energy, Inc. Sabal Trail has also requested 1) a certificate of public convenience and necessity to acquire by lease from Transcontinental Gas Pipe Line Company the capacity that would be created by Transco's proposed Hillabee Expansion Project, Docket No. CP15-16-000, 2) a blanket certificate pursuant to Part 157, Subpart F of the Commission's regulations, authorizing Sabal Trail to construct, operate, acquire and abandon certain facilities as described in Part 157, Subpart F, and 3) a blanket certificate pursuant to Part 284, Subpart G of the Commission's regulations, authorizing Sabal Trail to provide open-access firm and interruptible interstate natural gas transportation services on a self-implementing basis with pre-granted abandonment for such services.

The pipeline projects outlined and addressed in the draft EIS for the Sabal Trail Pipeline, SAS-2013-00942, represent a massive assault on the environment and the communities along the proposed routes. Moreover, the impacts of extraction, transport and combustion of natural gas via the process of hydraulic fracturing have to be taken into consideration. According to the EPA's own estimates up to 140 billion gallons of water are used annually to fracture 35,000 wells in the US. A large variety of chemicals are used in fracking fluids, and many of these fracking fluid chemicals are known to be toxic to humans, and several are known to cause cancer (e.g. formaldehyde, ethylene glycol, methanol, benzene). According to studies by the EPA, the oil and gas industry, and interviews with regulators, anywhere from 20 to 85% of fracking fluids remain in the formation, resembling a source of groundwater contamination for many

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CO13 – Blue Ridge Environmental Defense League (cont'd)

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generations to come in the source areas for the natural gas that would be transmitted via the Sabal Trail Pipeline from Alabama to Florida.¹

Under the law, these national and global impacts must be accounted for by the Federal Energy Regulatory Commission; i.e., to “recognize the worldwide ... environmental problems and ... maximize international cooperation.”² Once the impacts are weighed, we believe the no action alternative – that is, the denial of the certificate of convenience and public necessity – will be the agency’s only recourse.

Background

The proposal under consideration includes multiple facilities which would be capable of delivering about 1.1 billion cubic feet of natural gas per day. The DEIS encompasses many miles of pipelines, four compressor stations, and numerous valves, pig sites and other appurtenances in three states. The environmental impacts of such a large number of facilities would be devastating to the environment and public health. Natural gas extracted by hydraulic fracturing, or fracking, is transported in trucks, compressed and delivered by pipelines. At each stage in this process, pollution is created.

COMMENTS

Protection of Water Resources

¹ https://www.earthworksaction.org/issues/detail/hydraulic_fracturing_101#.Vil1QOn6rQdV

² National Environmental Policy Act, §102(2)

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CO13 – Blue Ridge Environmental Defense League (cont'd)

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It is our understanding that “The Georgia Department of Natural Resources, Environmental Protection Division, intends to certify this project at the end of 30 days in accordance with the provisions of Section 401 of the Clean Water Act, which is required for a Federal Permit to conduct activity in, on, or adjacent to the waters of the State of Georgia.”³

As you know, the Clean Water Act, Section 401 Certification states clearly that: “Any applicant for a Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters, shall provide the licensing or permitting agency a certification from the State in which the discharge originates or will originate, or, if appropriate, from the interstate water pollution control agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate, that any such discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307 of this title. In the case of any such activity for which there is not an applicable effluent limitation or other limitation under sections 301(b) and 302 of this title, and there is not an applicable standard under sections 306 and 307 of this title, the State shall so certify, except that any such certification shall not be deemed to satisfy section 511(c) of this title. Such State or interstate agency shall establish procedures for public notice in the case of all applications for certification by it and, to the extent it deems appropriate, procedures for public hearings in connection with specific applications.”⁴

³ DEPARTMENT OF THE ARMY, U.S. Army Corps of Engineers: JOINT PUBLIC NOTICE for State of Alabama, State of Georgia, State of Florida, September 11, 2015 Accessed at: <http://www.saj.usace.army.mil/Portals/44/docs/regulatory/Public%20Notices/2015%2010%20October/20151009-SoutheastMarketPipeline-multiple-1211.pdf>

⁴ Clean Water Act, Section 401 Certification: Section (a) Compliance with applicable requirements; application; procedures; license suspension. <http://water.epa.gov/lawsregs/guidance/wetlands/sec401.cfm>

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CO13 – Blue Ridge Environmental Defense League (cont'd)

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CO13-1 It is not clear that the proper notifications and opportunities for public comment have been undertaken to the fullest extent of the law, which is of great concerns, considering that “an agency must provide the public with information regarding the project as well as the evaluation process, including descriptions of the project, its adverse effects on the floodplain, and all alternatives considered. This information must be made available to the affected public as well as federal, state, tribal, and local agencies with legal jurisdiction or “special expertise” in environmental and floodplain management matters.”⁵

CO13-2 The proposed Sabal Trail Pipeline project would create serious problems related to erosion and sediment control. It is likely that there have not been adequate measures taken to meet state and federal requirements for proper monitoring and mitigating of the harm that is done by the devastating and disruptive practices of pipeline construction. According to the Manual for Erosion and Sediment Control in Georgia, “Federal Law requires that adequate erosion, sediment and pollution control must be implemented during land-disturbing activities where a section 404 permit (usually known as a wetland permit) is required. Few realize that minor activities of filling and dredging, while not requiring U.S. Army Corps of Engineers notification, still must meet the Federal requirement of “adequate erosion and sediment control” as if a permit had been issued. According to Federal Law, “adequate equates to “no failures tolerated.” In short, when filling or dredging activity impacts any Waters of the United States, adequate erosion control must occur at the site. Therefore, during land-disturbing activities regulated by the state, erosion

⁵ “Wetlands Overview and Update Current Trends, Issues and Practical Considerations” © By Sharon M. Mattox, Vinson & Elkins, L.L.P. Houston, Texas. 2010. Accessed at: <http://www.velaw.com/UploadedFiles/VESite/Presentations/WetlandsOverviewUpdate.pdf>

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CO13-1 The Notice of Intent to Prepare an EIS and the draft EIS were sent to over 5,000 parties including affected landowners, abutters, concerned citizens, federal, state and local agencies, Native American tribes, libraries, newspapers, elected officials, and environmental and public interest groups. Section 1.3 of the EIS further describes the public review and comment process.

CO13-2 Comment noted. Section 2.3 summarize the measures that would be implemented throughout project construction and operation to avoid and minimize erosion and sedimentation, and detailed construction and restoration plans are included as appendices or by reference into the EIS. Section 1.2.2 explains the role of the USACE in the environmental review and permitting of the SMP Project in accordance with the CWA and other regulations. Sections 3.3 and 3.4 describe water resources and wetlands in the project area; disclose potential impacts on these resources; and describe the measures that would be implemented to avoid, minimize, or mitigate impacts.

CO13 – Blue Ridge Environmental Defense League (cont'd)

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CO13-2
(cont'd) | and sediment control regulations fall under stricter Federal guidelines as well as the standard State guidelines if Waters of the United States are impacted."⁶

All of our waters, including groundwater aquifers like the Floridian Aquifer, are connected; harm done to one body of water affects others, often irreparably. Therefore every proposed water crossing (e.g. Withlacoochee River, Santa Fe River, Suwannee River) must also take into account the adjacent waters. Furthermore, according to The Clean Water Act: "The agencies emphasize that the rule has defined as "adjacent waters" those waters that currently available science demonstrates possess the requisite connection to downstream waters and function as a system to protect the chemical, physical, or biological integrity of those waters. The agencies also emphasize that the rule does not cover "adjacent waters" that are otherwise excluded. Further, the agencies recognize the establishment of bright line boundaries in the final proposed rule for adjacency does not in any way restrict states from considering state specific information and concerns, as well as emerging science to evaluate the need to more broadly protect their waters under state law. The Clean Water Act establishes both national and state roles to ensure that states specific circumstances are properly considered to complement and reinforce actions taken at the national level."⁷

CO13-3 | It is BREDL's assertion that all water is exceptional and must be protected; therefore strict adherence to Sabal Trail's statement, quoted here, is insufficient. "State-designated exceptional value waters, waterbodies that provide habitat for federally listed threatened or endangered

⁶ Manual for Erosion and Sediment Control in Georgia, Sixth Edition (January 2014) Chapter 6: BMP STANDARDS AND SPECIFICATIONS FOR GENERAL LAND-DISTURBING ACTIVITIES. Accessed at: http://gaswcc.georgia.gov/sites/gaswcc.georgia.gov/files/Chapter_6-BMP_Standards_and_Specifications_for_General_Land-Disturbing_Activities_2_0.pdf

⁷ http://www2.epa.gov/sites/production/files/2015-05/documents/finding_of_no_significant_impact_the_clean_water_rule_52715.pdf

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CO13-3 | Waterbodies that could be affected by the Project are identified in section 3.3.2 of the EIS.

CO13 – Blue Ridge Environmental Defense League (cont'd)

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CO13-3
(cont'd) species, or waterbodies designated as public water supplies will not be used, unless appropriate federal, state, and/or local permitting agencies grant written permission. Only the water sources identified in the Clearance Package/Permit Book will be used.”⁸ The Clearance Package/Permit Book does not adequately or accurately identify and protect the many bodies of water that could be affected by the proposed pipeline project.

Endangered/Keystone Species

CO13-4 It is of great concern that multiple habitats of the gopher tortoise lie in the path of the proposed Sabal Trail Pipeline. According to The Gopher Tortoise Council, “The first and most important component of gopher tortoise conservation is to conserve and manage remaining upland habitat, including the wetlands that are a part of the complete ecosystem.”⁹ Pipeline construction would devastate the habitat of the gopher tortoise, particularly sensitive and protected wetland areas and longleaf pine forests.

“As noted, tortoise population has decreased by an estimated 80% during the last century, partly due to the development of housing projects, industrial centers and corporate agriculture. Though the impacts of development are of great concern, and the solutions to the problems presented by development are important, the single greatest cause of gopher tortoise decline has been the destruction of the longleaf pine ecosystem on which the tortoise depends.”¹⁰

⁸ http://content.sabaltrailtransmission.com/resources/2015-feb/Volume%20II-A-%20-%20NARRATIVE/Sabal_Trail_%20TIB%20Supplemental_VOI.-II-A_2-20-2015_FINAL.pdf

⁹ <http://www.gophertortoisecouncil.org/conservation/tortoise-conservation-position-statement/>

¹⁰ <http://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1075&context=delpf>

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CO13-4

We acknowledge the information provided on historic gopher tortoise populations and regulations enacted to conserve the species. Sections 5.3.5 and 5.4.1 of appendix K of the EIS state that the handling and relocation of gopher tortoises would be conducted according to FWS and Florida Fish and Wildlife Conservation Commission standards.

CO13 – Blue Ridge Environmental Defense League (cont'd)

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CO13-4
(cont'd)

According to The University of Florida Conservation Clinic Center for Governmental Responsibility College of Law, there are “five main threats to the tortoise population...(1) Habitat loss through human development, (2) habitat loss through poor supervision, (3) human desire to use it as a pet or meat, (4) relocation causing population disruption, and (5) disease caused by relocation.”

The permitting process for the relocation of the gopher tortoise is rigorous and explicit. In February 2015, The Florida Fish and Wildlife Conservation Commission released an update to their Gopher Tortoise Permitting Guidelines: “Revised definition for “abandoned burrow”; added new definition for “improved pasture”; added exemption for county animal control officers to remove domesticated animals; added language regarding the Wildlife BMPs and the Gopher Tortoise Enforcement Policy; clarified the refund request timeframe applies to withdrawn or voided permits; increased duration of 10 or Fewer Burrow permits to 1 year; eliminated the need to mitigate for hatchlings (≤ 60 mm); updated permit mitigation per 2013 CPI; clarified acceptable forms of local government approvals required to commence relocation activities; added that qualifications documented to obtain an Authorized Gopher Tortoise Agent (AA) permit must be post-April 2009; added a 2-year time limit for training courses used to satisfy AA qualifications; added new online quiz requirement to renew an AA permit; reduced requirements to qualify for some capture methods as an AA; eliminated the distance limitation for adjacent public projects to public lands permit; eliminated the 1,000 acre limit for a recipient site application; limited the percentage ($< 40\%$) of improved pasture on a recipient site; added a shade requirement for improved pasture on recipient sites; removed eligibility for “stocking density bonuses” for improved pasture on recipient sites; added criteria for livestock grazing on

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CO13 – Blue Ridge Environmental Defense League (cont’d)

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CO13-4
(cont’d)

recipient sites; clarified financial assurance requirements for trusts; added mortality checklist and protocol for recipient sites (and reporting requirements); added requirement recipient site follow-up surveys to include burrow size and class; clarified cause and result of infractions that put tortoises at risk.”¹¹

The gopher tortoise is not just an endangered or threatened species, “Gopher tortoises are known as a keystone species. The Florida Fish and Wildlife Conservation Commission states the gopher tortoise provides refuge for as many as 350 to 400 species. The burrows are used for feeding, resting, reproduction, and protection from temperature extremes, moisture loss, and predators. These species include gopher frogs (*Rana capito*), several species of snake, such as the eastern indigo snake (*Drymarchon couperi*), small invertebrates, and burrowing owls (*Athene cunicularia*). Therefore, conservation efforts focused on the gopher tortoise aid these species as well.”¹² BREDL asserts that there have not been adequate measures taken for the protection of the gopher tortoise along the route of the proposed pipeline.

Export Issues and Eminent Domain

CO13-5

It is of great concern that natural gas from the Sabal Trail Pipeline may be shipped to ports around the world. Today, ships transporting natural gas with a capacity of up to 145,000 cubic meters are common. The comprehensive review, the *hard look*, required by the National Environmental Policy Act must encompass the sum of cumulative impacts from extraction to end use, no matter where that end use occurs, including export terminals and liquefied natural gas exports.

¹¹ <http://myfwc.com/media/2984206/GT-Permitting-Guidelines-FINAL-Feb2015.pdf>

¹² https://en.wikipedia.org/wiki/Gopher_tortoise

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CO13-5

Section 1.1.1 of the EIS indicates that the Applicants do not propose to serve any LNG export facilities.

We also note that the DOE determines whether the export of natural gas is consistent with the public interest and that, under section 3(c) of the NGA, applications to export natural gas to countries which the United States has free trade agreements that require national treatment for trade in natural gas are deemed to be consistent with the public interest and the Secretary of Energy must grant authorization without modification or delay. Section 3(a) of the NGA also requires DOE to grant applications for natural gas export to non-free trade agreement countries if DOE finds such export to be in the public interest.

Section 3.14 addresses cumulative impacts and has been revised to explain that an agency is not required to engage in speculative analysis or to do the impractical, if not enough information is available to permit meaningful consideration. The commentor’s assertion that gas transported by the SMP Project “may” be shipped to “ports around the world” demonstrates the speculative and impractical nature of the suggested analysis. Section 1.3 also explains why we do not consider impacts associated with natural gas production in our analysis.

CO13 – Blue Ridge Environmental Defense League (cont’d)

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CO13-6 If even a portion of the gas transported through the Sabal Trail Pipeline is intended for export it should not fall under the jurisdiction of eminent domain. It would not be for the public good.

It should also be noted that the Sabal Trail Pipeline project is an LLC and therefore a private corporation and not a public utility. There was recently a precedent set in a lawsuit in Kentucky involving the use of eminent domain to construct a pipeline for a private corporation. The decision was made that “because the natural gas liquids are not directly reaching Kentucky consumers, “the pipeline cannot said to be in the public service of Kentucky,” the court said.”¹³

The gas intended to be transported through the Sabal Trail Pipeline will not benefit the people of Georgia. If we are forced to take this issue to court, it will be obvious that Sabal Trail Transmission, LLC is not a public utility and therefore not in the public interest.

Adherence to the EPA Clean Power Plan

CO13-7 On August 3, 2015 the EPA released the final Clean Power Plan, establishing interim and final carbon dioxide emission performance rates for the two types of electric generating units - steam electric and natural gas fired power plants - under Section 111(d) of the Clean Air Act. Its purpose is to create enforceable goals for states to reduce emissions and a flexible framework— Best System of Emissions Reduction, or BSER—to implement carbon reductions. The Plan would set carbon dioxide (CO2) emission rate goals to be achieved by 2030. According to EPA, if the 2030 emission rate goals are achieved, CO2 emissions from electric power would be

¹³ <http://www.kentucky.com/2015/05/22/3865010/court-of-appeals-rules-pipeline.html#storylink=cpy>

Esse quam videri

CO13-6 See the response to comment CO13-5.

CO13-7 The commenter's position on the eligibility of power generation supplied by Sabal Trail Pipeline is noted. However, the eligibility of these plants under the Clean Power Plan will ultimately be determined by the state in which they are located and EPA.

CO13 – Blue Ridge Environmental Defense League (cont'd)

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CO13-7
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reduced by 30% nationwide.¹⁴ The EPA allows for the fact that states have different electric power resources and expects them to cooperate with the federal government in cutting greenhouse gas pollution. In the final CPP, the EPA determined that BSEER is comprised of three “building blocks” that individually and together reduce the carbon intensity of electricity generation:

- 1) Increasing the operational efficiency of existing coal-fired power plants.
- 2) Shifting electricity generation from higher emitting fossil fuel-fired steam power plants (generally coal-fired) to natural gas-fired power plants.
- 3) Increasing electricity generation from renewable sources of energy.

Under the Clean Power Plan, Renewable Energy generation includes solar, wind, geothermal, wood and wood-derived fuels and other biomass. The Plan excludes hydroelectric power. The EPA basis for determining each state’s goal is to total CO₂ emissions from fossil fueled power plants in pounds divided by the state’s electric power generation from power plants using both fossil and non-fossil sources in megawatt hours (MWh).

According to the Congressional Research Service report,¹⁵ “The emission rates are a function of EPA’s specific emission rate methodology. States may choose to meet emission rate goals by focusing on one or more of the building block strategies or through alternative approaches.”

¹⁴ Emission rate reductions use 2012 as the baseline year. Interim goals are also established for the 2020–2029 timeframe. EPA’s emission rates are measured in pounds of CO₂ emissions per megawatts-hours (MWh) of electricity generation.

¹⁵ *State CO₂ Emission Rate Goals in EPA’s Proposed Rule for Existing Power Plants*, Jonathan L. Ramseur, Specialist in Environmental Policy, Congressional Research Service, July 21, 2014.

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CO13 – Blue Ridge Environmental Defense League (cont'd)

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CO13-7
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Under the EPA Clean Power Plan, each state chooses how to attain the standard based on its circumstances and policies. They are not limited to the EPA's proposed building blocks so long as they meet the goal.

We assert that the Sabal Trail Pipeline Project cannot, and will not, adhere to the standards projected in the current Clean Power Plan. Considering the devastating impact of methane on climate change, as well as many other issues surrounding natural gas, we also assert that the plan must be revised to take into account the issues surrounding natural gas extraction, transportation and exportation.

Conflict of Interest

CO13-8

The Miami Herald reported on July 21, 2014 that "Upon his election in 2010, Gov. Rick Scott's transition team included a Florida Power & Light executive who pitched his company's plan to build a major natural gas pipeline in North Florida to fuel a new generation of gas-fired power plants in places like Port Everglades."

"The proposed project will need state regulatory and governmental agencies to understand and support this project," said the proposal submitted by FPL vice president Sam Forrest.

Scott understood. In May and June 2013, he signed into law two bills designed to speed up permitting for what came to be known as the Sabal Trail Transmission — a controversial, 474-mile natural gas pipeline that's to run from Alabama and Georgia to a hub in Central Florida, south of Orlando.

Esse quam videri

CO13-8

See the response to comment CO13-5.

CO13 – Blue Ridge Environmental Defense League (cont'd)

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CO13-8
(cont'd)

Five months later, the Florida Public Service Commission, whose five members were appointed by Scott, unanimously approved construction of Sabal Trail as the state's third major natural gas pipeline.¹⁶

Others have noticed this conflict of interest as well. "Scott's investments in Spectra and Williams also gave him a financial interest in the Gulfstream pipeline that runs from Alabama to Tampa Bay under the Gulf of Mexico. Those companies and their limited partnerships jointly own and operate Palmetto-based Gulfstream Natural Gas System, LLC.

Scott, too, reported owning a bigger stake in giant Energy Transfer, the publicly traded master limited partnership whose subsidiaries include a joint venture that owns Florida Gas Transmission, Florida's other major natural gas pipeline that runs from Texas through the Florida peninsula to Miami-Dade.

Scott also invested in Boardwalk Pipeline Partners (BWP), a master limited partnership that wholly-owns Gulf South Pipeline Co. Gulf South operates pipelines in Florida's Panhandle.¹⁷

Meanwhile it is reported elsewhere that utility companies are hemming in the growth of a solar market: "An analysis of campaign records by the Florida Center for Investigative Reporting shows that the utility companies have sunk \$12 million into the campaigns of state lawmakers since 2010.

That money comes from the bills paid by customers of the state's four largest utilities — Duke Energy, Gulf Power, Florida Power & Light, and Tampa Electric, or TECO.¹⁸

¹⁶ <http://www.miamiherald.com/news/state/article1976380.html>

¹⁷ <http://www.floridabulldog.org/2015/09/pipeline-company-to-judge-evidence-of-gov-scott-s-investment-in-us-inelegant/>

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CO13 – Blue Ridge Environmental Defense League (cont’d)

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CO13-8
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In sum, a state known as the Sunshine State, which has the most to lose from global warming due to its low lying areas along its 1,197 mile long coast line, seems to have been high jacked by a Governor who is a stake holder in Spectra Energy and by legislators who receive significant campaign contributions from the fossil fuel industry and utility companies. All of them willingly look the other way and discourage the growth of solar energy in order to tilt the field in favor of natural gas pipelines and, by default, fracking, and to artificially create domestic demands (not covered by hemmed in solar) while supporting companies profiting off of LNG exports.

Economic Considerations

CO13-9

Considering that the expected life time of Sabal Trail is 60 years and that renewable energy markets throughout the world have seen unprecedented growth while conventional and harmful sources of energy production are being outperformed by solar and wind¹⁹, this project does not make long-term economic sense²⁰ in the context of global renewable energy markets, a growing fossil fuel divestment movement²¹, and the anticipated economic damages of global warming ranging from record droughts to record precipitation events to rising sea water levels.²² In this context it should also be noted that the State of Florida depends to a large degree on a thriving tourist industry with up to 100 million visitors yearly and more than \$70 billion in revenues all of which is threatened by global warming, and based on recent reports the year 2015 will go on record for the hottest year ever.²³

¹⁸ <http://fcr.org/2015/04/03/in-sunshine-state-big-energy-blocks-solar-power/>

¹⁹ <http://www.sciencealert.com/wind-energy-is-now-as-cheap-as-natural-gas-and-solar-is-getting-close>

²⁰ <http://www.ft.com/cms/s/0/5974a3ce-52e0-11e5-b029-b9d50a74d141.html#axzz318iOpCye>

²¹ <http://thinkprogress.org/climate/2015/09/22/3704205/divestment-movement-50-times-bigger-in-one-year/>

²² <http://www.climatehotmap.org/global-warming-effects/economy.html>

²³ http://www.nytimes.com/2015/10/22/science/2015-likely-to-be-hottest-year-ever-recorded.html?_r=3

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CO13-9

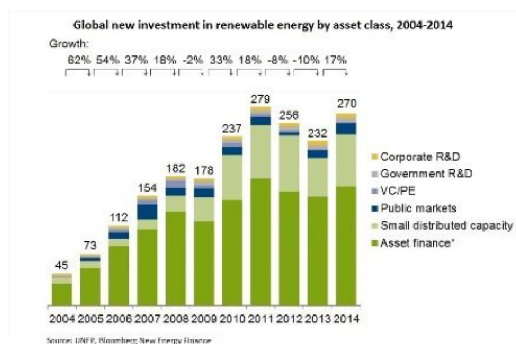
Section 1.2.1 describes the Commission’s obligations under the NGA and Epect as an independent regulatory body, and explains the factors that the Commission will balance in determining whether the SMP Project is in the public convenience and necessity.

CO13 – Blue Ridge Environmental Defense League (cont’d)

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CO13-10

The place to invest right now is in renewable energy. This has been clearly demonstrated by a dramatic shift in the market. “Equity raising by renewable energy companies on public markets jumped 54% in 2014 to \$15.1 billion, helped by the recovery in sector share prices between mid-2012 and March 2014, and by the popularity with investors of US “yieldcos” and their European equivalents, quoted project funds. These vehicles, owning operating-stage wind, solar and other projects raised a total of \$5 billion from stock market investors on both sides of the Atlantic in 2014.”²⁴



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With the market clearly shifting towards investments in clean energy and investors overwhelmingly divesting in fossil fuels, the Sabal Trail Pipeline Project is likely to lose investors and find it difficult to convince new ones that natural gas is a viable investment, given the devastating effects on climate, environment, public safety and human rights.

²⁴ “Global Trends in Renewable Energy Investment 2015,” <http://www.fs-uncp-centre.org> (Frankfurt am Main) Copyright © Frankfurt School of Finance & Management gGmbH 2015. Bloomberg New Energy Finance.

²⁵ “Global Trends in Renewable Energy Investment 2015,” <http://www.fs-uncp-centre.org> (Frankfurt am Main) Copyright © Frankfurt School of Finance & Management gGmbH 2015. Bloomberg New Energy Finance.

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CO13-10 See the response to comment CO13-9.

CO13 – Blue Ridge Environmental Defense League (cont'd)

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Power plants and Compressor Stations

Natural gas suffers from a series of insoluble problems. Once the gas is removed from the earth, it is transported in trucks, compressed and delivered by pipelines where it is burned for heat and power. At each stage in this process, pollution is created. Compressor stations and electric power plants are two major pollution sources which are often overlooked.

For example, at the Richmond County Energy Complex in Hamlet, North Carolina, Duke Energy Progress operates seven combustion turbines permitted to burn either fuel oil or natural gas to generate 2,000 megawatts of electric power. But turbines are remarkable for their lack of efficiency in converting chemical energy to mechanical energy. More than 50 percent of the turbine's power output is consumed by the turbine itself to aid combustion.²⁶ Two types of turbines are simple-cycle and combined-cycle. The simple cycle has a thermal efficiency of only 15 to 42 percent. Combined cycle units add a heat recovery steam generator to boost efficiency to between 38 and 60 percent. So, at best 40% of the fuel burned produces no electric power; at worst 85 % of the fuel burned produces no electric power. Of course, air pollution and global warming gases are created whether power is produced or not.

CO13-11

There are a number of compressor stations along Sabal Trail which will have to go through a permitting process and will have to be evaluated in regard to air pollution.

A major source of air pollution from natural gas pipelines is compressor stations. Spaced about 50 to 100 miles apart, they keep the gas moving along the pipeline from production site to end

²⁶ U.S. EPA Air Pollution Emission Factors, AP-42, Stationary Gas Turbines, Section 3.1.2 Process Description

Esse quam videri

CO13-11

Section 3.12.1 of the EIS describes the air emissions that would occur from each proposed compressor station (and other project sources) and explains how the facilities would have to comply with the CAA and obtain operating air permits prior to placement into service.

CO13 – Blue Ridge Environmental Defense League (cont’d)

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CO13-11
(cont'd)

use. Power for these compressors is provided by internal combustion engines, turbine or reciprocating, which use natural gas as a fuel source. These engines release huge amounts of air pollution including sulfur dioxide (SO₂), nitrogen oxides (NO_x), volatile organic compounds (VOC), carbon monoxide (CO), particulate matter (PM₁₀), and hazardous air pollutants such as benzene and formaldehyde. Our review of compressor stations in Virginia and North Carolina reveals high levels of air pollution. For example, a single, medium sized compressor can emit 203 thousand tons of CO₂ annually.²⁷

A compressor station in North Carolina operates eight natural gas-fired reciprocating internal combustion engines with a combined total of 37,880 horsepower.²⁸ This is a medium sized compressor, one of the two moving gas along a 128 mile pipeline from Charlotte to Wilmington, North Carolina. Our review of the state air permit reveals the pollution levels in Table B (next page) and shows an astounding level of greenhouse gas emissions (CO₂e) – over 200 thousand tons per year – plus over a half a million pounds of toxic air pollution.

Table B. Medium Sized Compressor Station Air Pollution

Pollutant	Annual Emission Rates
CO ₂ e	203,824 tons
Particulates (2.5, 10 and total)	24,920 pounds

²⁷ Piedmont Natural Gas Wadesboro Compressor Station, North Carolina DAQ Permit No. 10097T01 operating eight natural gas-fired reciprocating internal combustion engines each rated at 4,735 horsepower, one of the two moving gas along a 128 mile pipeline from Charlotte to Wilmington, North Carolina.
²⁸ Piedmont Natural Gas–Wadesboro Compressor Station in North Carolina, NC Division of Air Quality Permit No. 10097T01

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CO13 – Blue Ridge Environmental Defense League (cont’d)

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(cont’d)

SO ₂	1,460 pounds
NO _x	367,720 pounds
VOC	70,100 pounds
CO	43,960 pounds
HAP total	25,020 pounds
HAP formaldehyde	17,560 pounds

CO13-12 Potential health effects of air emissions from the proposed compressor stations are discussed in section 3.12.1.3.

CO13-12

A recent article²⁹ points towards the connection between health issues and rural gas compressor stations. Air contaminants from the Millennium pipeline compressor station, located in Minisink, New York has reached levels that exceed that of a big city. Many residents have complained of health ailments, and a research team from the Southwest Pennsylvania Environmental Health Project, a nonprofit group of public health experts, facilitated a study from October to December, 2014.

The study found that,

“spikes in air toxins around the compressor coincided with residents’ adverse health symptoms.... Asthma, nosebleeds, headaches, and rashes were common among the 35 participants in eight families living within one mile of the compressor... Six of the 12 children studied had nosebleeds, which health consultant, David Brown, attributed to elevated blood pressure or irritation of

²⁹ “Gas Compressors and Nose Bleeds” <http://www.utnc.com/environment/gas-compressors-and-nose-bleeds-zm0z15/sau.aspx?PageId=2#ArticleContent>

Esse quam videri

CO13 – Blue Ridge Environmental Defense League (cont'd)

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CO13-12
(cont'd)

mucous membranes by formaldehyde, a carcinogen found in excess around compressors in a recent SUNY Albany study.”



Photo by Fotolia/Alikss³⁰

Environmental health expert, Wilma Subra, has observed the same health issues and concerns around the country, near gas compressor stations, but also near gas power plants and gas drilling sites. She cites:

“[I] typically find symptoms such as asthma, allergies, coughs, nosebleeds, dizziness, weakness, and rashes among 90 percent of residents and workers in a two- to three-mile radius of gas infrastructure... Resulting chronic ailments she cites include lung, cardiovascular, reproductive, liver, kidney, and neurological damage; birth defects; and leukemia.”

³⁰<http://www.utnc.com/~media/Images/UTR/Editorial/Articles/Magazine%20Articles/2015/Fall/Gas%20Compressors%20and%20Nose%20Bleeds/Bloody-Nose%20jpg.jpg>

Esse quam videri

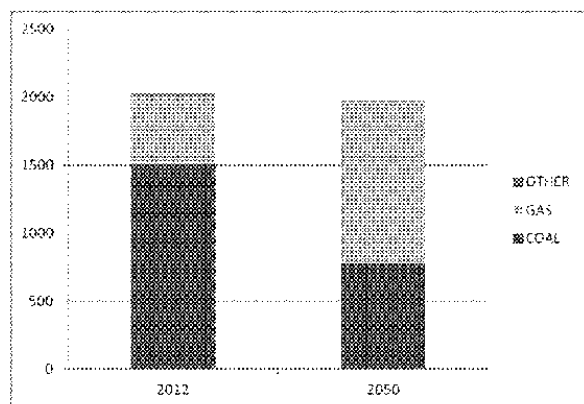
CO13 – Blue Ridge Environmental Defense League (cont'd)

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CO13-12
(cont'd)

A Union of Concerned Scientists study estimates that unburned natural gas escaping from production infrastructure is equivalent to emissions from about 170 coal-fired power plants. A total of 7.7 million tons of methane are released annually by oil and gas production facilities: wells, processing, compressors, transmission and storage. Methane, the principal component of natural gas, is 34 times more powerful than carbon dioxide at trapping heat. In fact, reducing coal use from the present 74% to 40% of the power supply by mid-century and substituting natural gas would reduce global warming emissions by only 3% (from 2,036 to 1,972 million metric tons, see graph).

Global Warming Emissions are Unchanged by Substituting Natural Gas for Coal³¹



³¹ Source: Union of Concerned Scientists. Emissions are annual greenhouse gases in millions of metric tons.

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CO13 – Blue Ridge Environmental Defense League (cont'd)

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CO13-12
(cont'd)

Natural gas combustion releases a wide variety of hazardous air pollutants: benzene, toluene, dichlorobenzene, arsenic, cadmium, chromium and formaldehyde. In fact, some of these pollutants are emitted in greater amounts from natural gas than coal. For example, for a given amount of electricity, emissions of formaldehyde from natural gas are 800% higher than from coal. Formaldehyde is a nearly colorless gas with a pungent, irritating odor even at very low concentrations. It is a probable human carcinogen. It is an eye, skin, and respiratory tract irritant. It can produce narrowing of the bronchi and accumulation of fluid in the lungs. Compressor stations release huge amounts of this hazardous air pollutant. The negative effects of airborne formaldehyde occur at very low levels. Exposure to as little as 0.1 to 2 parts per million causes irritation of the eyes, nose and throat. At 5 to 10 ppm, people experience cough, tightness of the chest and eye damage. At 20 ppm breathing becomes difficult, at 30 ppm there is severe injury to the lungs and 100 ppm is immediately dangerous to life.

Children are more susceptible to the respiratory effects of formaldehyde than adults.

It is obvious that we must protect the health and well-being of our children. As you know, the EPA has established guidelines in its Final Rule regarding Executive Order 13045: Protection of Children from Environmental Health Risks and Safety Risks and concluded that "the agency has evaluated the environmental health and welfare effects of climate change on children. CO2 is a potent GHG that contributes to climate change and is emitted in significant quantities by fossil fuel-fired power plants. The EPA believes that the CO2 emission reductions resulting from

Esse quam videri

CO13 – Blue Ridge Environmental Defense League (cont’d)

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CO13-12 (cont’d) | implementation of these final guidelines, as well as substantial ozone and PM2.5 emission reductions as a cobenefit, will further improve children’s health.”³²

CO13-13 | In order to take into account all of the substantial risks to the health and safety of our children, we must include the evidence that natural gas and the risks associated with the gathering, processing and transportation of natural gas have significantly harmful effects.

Environmental Justice

Guidance for enforcement of the National Environmental Policy Act states, “When a disproportionately high and adverse human health or environmental effect on a low-income population, minority population, or Indian tribe has been identified, agencies should analyze how environmental and health effects are distributed within the affected community....This type of data should be analyzed in light of any additional qualitative or quantitative information gathered through the public participation process.”³³

According to The Department of Transportation’s (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA), there are three fundamental environmental justice principles:³⁴

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.

³² Pg. 1435: <http://www2.epa.gov/sites/production/files/2015-08/documents/cpp-final-rule.pdf>

³³ Council on Environmental Quality. “*Environmental Justice Guidance under the National Environmental Policy Act.*” Environmental Protection Agency. 1997. Accessed May 31, 2015.

http://www.epa.gov/oecaerth/environmentaljustice/resources/policy/ej_guidance_nepa_ceq1297.pdf

³⁴ <http://www.phmsa.dot.gov/org/civilrights/EnvironmentalJustice>

Esse quam videri

CO13-13 Section 1.3 explains why we do not consider impacts associated with natural gas production in our analysis.

CO13 – Blue Ridge Environmental Defense League (cont’d)

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- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

CO13-14 | The proposed Sabal Trail Pipeline Project stands in direct violation to environmental justice standards. These violations include, but are not limited to, the proposed compressor station in Albany, GA. According to “Kevin Grail, the president of Grail Management Group, which represents the Countryside Village Mobile Home Park that is near the proposed compressor station site...

“Fifty homeowners will have this compressor station in their backyard,” Grail said. “Sixty-eight percent of those residents are black, and 70 percent of the residents have a household income below \$30,000. They’re going to be subjected to the horrible sound of that station running, and it never stops. And, oh, by the way, it may explode one day.

“These people are going to lose up to 50 percent of the value of their homes, and they can’t afford to move. They’re going to be stuck there.”⁵⁵

Congressmen Sanford D. Bishop Jr. (GA-02), John Lewis (GA-05), Henry ‘Hank’ Johnson Jr. (GA-04), and David Scott (GA-13) sent a letter to the Federal Energy Regulatory Commission on Friday, October 23, 2015 expressing concerns about the proposed Sabal Trail pipeline and the environmental justice issues in particular. According to this letter, “Sabal Trail’s proposed pipeline and compressor station will further burden an already overburdened and disadvantaged African-American community in this area. Sabal Trail’s proposed route will go through Albany

⁵⁵ <http://www.albanyherald.com/news/2015/sep/29/ferc-gets-an-earful-from-sabal-trail-pipeline/>

Esse quam videri

CO13-14 | As identified in section 3.10.4.6, while the pipeline would be located within census tracts characterized as environmental justice populations, the proposed compressor building itself would not be located in or within 1 mile of an environmental justice population tract. Air and noise emissions would meet all federal regulatory standards and thresholds. The facilities would be constructed and operated in compliance with DOT materials and safety standards. Groundwater quality, property values, and other environmental resources would not be significantly affected. As such, the SMP Project would not result in high and adverse impacts.

CO13 – Blue Ridge Environmental Defense League (cont'd)

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CO13-14
(cont'd)

and Dougherty County and will run through low-income African-American neighborhoods. The proposed industrial compressor station facility would sit right in the middle of an African-American residential neighborhood comprised of two large subdivisions, a mobile home park, schools, recreational facilities, and the 5,000-plus member Mount Zion Baptist Church, a predominantly African-American congregation. The statement in FERC's DEIS that the compressor station would not be located in an environmental justice community is not correct. In fact, FERC acknowledges in its DEIS that 71% of environmental justice populations would be affected by the Sabal Trail Project and that the percentage of environmental justice populations in Dougherty County is 85% (see DEIS at p. 3-217).

The compressor station would occupy several acres, have a height of six stories, and have two 21,000 horsepower turbines running 24 hours a day every day of the week. It would be lit up all night long, emit thousands of tons of pollutants into the air each year, and constitute a non-stop source of noise and vibration. The undisputed evidence in the record shows that this massive compressor station would emit so much pollution that it would further contribute to the City of Albany exceeding the National Ambient Air Quality Standards under the federal Clean Air Act for nitrogen oxides.

In addition, studies have documented that noise pollution causes adverse health effects including vibro-acoustic disease, hypertension, heart disease, hearing impairment, communication problems, sleep disturbance, and adverse cognitive effects including memory loss and behavioral problems. The nitrogen oxides and volatile organic chemicals that the compressor station would emit are known to harm respiratory, cardiological, neurological, and kidney functions as well as cause premature death. Even small levels of nitrogen oxides can cause nausea, irritation of the

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CO13 – Blue Ridge Environmental Defense League (cont’d)

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CO13-15

eyes and nasal passages, fluid in the lungs, and shortness of breath. The area already has among the highest incidences of stroke, heart disease, diabetes, cancer, and obesity. This residential area therefore is the last place where such a facility should be placed, and it most certainly should not be located near a disadvantaged African-American neighborhood that has already borne more than its fair share of pollution.”³⁶

BREDL’s asserts that Presidential Executive Order 12898 makes it clear that all federal agencies must adhere to environmental justice standards by identifying and addressing disproportionately high and adverse human health or environmental effects of its actions on minority populations and low-income populations. It is our understanding that the FERC is “an independent government agency that is officially organized as part of the Department of Energy.”³⁷

Given that the FERC is an extension of the Department of Energy, which is a federal agency, FERC should be mandated to comply with the same standards as any other federal agency. It must fall upon the DOE to insure that the FERC address these social and environmental injustices perpetuated by the proposed route of Sabal Trail Pipeline Project.

Conclusion

The impacts on the land, air and water resources which would occur if this project advances are contrary to the letter and the spirit of the National Environmental Policy Act, which is to prevent or eliminate damage to the environment and the biosphere. The draft of the Environmental Impact Study which we have reviewed in depth does not begin to alleviate the devastating effects

³⁶ <http://spectrabusters.org/2015/10/24/four-congress-members-demand-sabal-trail-move-off-of-albany-ga/>

³⁷ Federal Department of Energy. Accessed at <http://www.ferc.gov/students/whatisferc.asp> on June 9th, 2015.

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CO13-15

Section 3.10.4.6 addresses disproportionately high and adverse impacts on environmental justice populations, which includes African American populations.

The commentors’ opinion regarding FERC being mandated to comply with Executive Orders is noted.

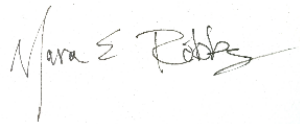
CO13 – Blue Ridge Environmental Defense League (cont'd)

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that the Sabal Trail Pipeline would have on Alabama, Georgia and Florida. The impacts of this cannot be mitigated.

We plan to submit further comments.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mara E. Robbins". The signature is written in a cursive, flowing style.

Mara E. Robbins

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Esse quam videri

COMPANIES AND ORGANIZATIONS

CO14 – AZ Ocala Ranch, LLC

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**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Sabal Trail Transmission, LLC

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Docket No. CP15-17-000

**COMMENTS OF AZ OCALA RANCH, LLC
ON DRAFT ENVIRONMENTAL IMPACT STATEMENT AND
ON SABAL TRAIL TRANSMISSION LLC'S PROPOSED
PIPELINE ROUTE ADJUSTMENT**

AZ Ocala Ranch, LLC (AZ Ocala) hereby submits these comments on the Draft Environmental Impact Statement prepared by the staff of the Federal Energy Regulatory Commission (Commission) and issued in Docket Nos. CP14-554-000, CP15-16-000, and CP15-17-000 on September 4, 2015 (DEIS), and on a pipeline route adjustment proposed by Sabal Trail Transmission LLC (Sabal Trail) in its Supplemental Information Response to DEIS Condition No. 29 and Minor Reroute and Workspace Modifications filed with the Commission in Docket No. CP15-17-000 on September 30, 2015 (Supplemental Information Filing).

I. BACKGROUND

AZ Ocala owns property in Marion County, Florida located within the right of way corridor for the proposed Sabal Trail pipeline, thus exposing its property to condemnation.¹ AZ Ocala is planning to develop the property as an active adult retirement community. Development plans have been underway for several years with well over \$500,000 spent by AZ Ocala so far during the predevelopment process, and within the next six months AZ Ocala will

¹ AZ Ocala's property is identified as Tax Parcels 40868-000-00, 40869-000-00, 41109-003-00 and 41109-002-00 recorded in Marion County, Florida, and is also identified by Sabal Trail tract numbers FL-MA-054.000, FL-MA-55.000, FL-MA-056.000 and FL-MA-057.005, respectively.

CO14 – AZ Ocala Ranch, LLC (cont'd)

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be spending another \$3,000,000 processing its Land Use Classification with the State of Florida and Marion County, and Zoning and Development Agreements for the site with Marion County, and a 1,400 acre Mitigation Bank with the State of Florida and the Army Corp of Engineers. Sabal Trail's proposed pipeline will traverse land owned by AZ Ocala and will adversely impact the planned commercial development of that land.

AZ Ocala has requested Sabal Trail to modify and adjust a very short portion of the proposed route that crosses AZ Ocala's property so that the pipeline would follow the right of way for an existing Duke Energy transmission line (AZ Ocala Proposed Route). AZ Ocala met with representatives of Sabal Trail on June 9, 2015 to express its concerns and propose this route adjustment. The AZ Ocala Proposed Route was not accepted by Sabal Trail. AZ Ocala submitted comments in this docket on July 1, 2015 expressing its concerns and proposing the AZ Ocala Proposed Route, which follows the Duke Energy transmission line, as described above.

AZ Ocala and Sabal Trail met again on July 31, 2015 to discuss the AZ Ocala Proposed Route and had a follow-up conference call about the route adjustment on September 28, 2015. Prior to the September 28 conference call, AZ Ocala provided Sabal Trail with an expert report AZ Ocala commissioned that evaluated the proposed routes. That report is submitted herein as Attachment 1.² AZ Ocala and Sabal Trail have had subsequent email exchanges regarding the AZ Ocala Proposed Route.

However, in a September 30, 2015 filing with the Commission entitled "Supplemental Information – Response to DPIS Condition No. 29 and Minor Reroute and Workspace Modifications" Sabal Trail flatly rejected the AZ Ocala Proposed Route. The reason given by

² *Proposed Sabal Trail Gas Pipeline Alternate Route Evaluation Marion County, Florida*, October 1, 2015. Prepared by Breedlove, Dennis & Associates, Inc., and Hays & Dennis, LLC.

CO14 – AZ Ocala Ranch, LLC (cont'd)

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Sabal Trail in this filing was concerned about “bringing on many abutting new landowners to the project that have not been involved in the FERC process.”³

AZ Ocala has been involved in this certificate process for an extended period of time. AZ Ocala participated in the pre-filing process for Sabal Trail's proposed pipeline. On November 21, 2014, AZ Ocala filed with FERC a timely motion to intervene after Sabal Trail filed its application for certification in Docket CP15-17. However, the motion used the pre-filing process docket number PF14-1. AZ Ocala became concerned that the Commission may not consider AZ Ocala's timely motion to intervene as applicable to Docket No. CP15-17. Accordingly, on August 19, 2015, AZ Ocala filed a motion that the Commission regard its motion to intervene as timely filed in Docket No. CP15-17, or, in the alternative, to intervene out of time in Docket No. CP15-17. In that motion, AZ Ocala argued that the Commission should adopt the same minor route adjustment AZ Ocala proposes here -- the AZ Ocala Proposed Route. That motion is pending.

On October 1, 2015, AZ Ocala representatives appeared and made an oral presentation at the FERC DEIS public meeting in Lake City, Florida. AZ Ocala presented FERC Environmental Project Manager, John Peconom, with the written route evaluation report by Breedlove, Dennis & Associates, Inc. and Hays & Dennis that is referred to above and submitted herein as Attachment 1. AZ Ocala summarized the ecological and cultural resource findings of the expert report, and the report's conclusion that, when compared to the other two routes, the AZ Ocala Proposed Route is the preferred route because it is 100% co-located and also preferable from an ecological and cultural resource perspective.

³ Supplemental Information Filing, Volume II-A: Summary and Updated Tables, Resource Report 10: Alternatives at pages 25-26.

CO14 – AZ Ocala Ranch, LLC (cont'd)

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II. COMMENTS

AZ Ocala's comments are directed at those aspects of the DEIS and the Sabal Trail Supplemental Information Filing that address the portion of the Sabal Trail pipeline route that crosses AZ Ocala's property in Marion County Florida. The DEIS evaluated the environmental impacts of the pipeline route that would cross AZ Ocala's property that was proposed by Sabal Trail in its Abbreviated Application for Certificates of Public Convenience and Necessity and For Related Authorizations filed in this docket on November 21, 2014 (the First Proposed Route). Sabal Trail, however, proposed an alternative route through AZ Ocala's property (Second Proposed Route – also known as the Drake Reroute) in its September 30, 2015 Supplemental Information Filing referred to above.⁴ AZ Ocala is very concerned about the adverse impact on the planned development of its property as an active adult retirement community if the pipeline is sited on either the First Proposed Route or the Second Proposed Route.

CO14-1 Because Sabal Trail's Second Proposed Route was submitted after the release of the DEIS, that new route must be evaluated in staff's preparation of the final EIS. AZ Ocala hereby requests that staff also evaluate, and the Commission certificate, the AZ Ocala Proposed Route. In addition to ameliorating the adverse impacts of the other proposed routes, the AZ Ocala Proposed Route is superior to the other proposed routes in a number of respects.⁵

The AZ Ocala Proposed Route would have a lower probability of causing adverse environmental impacts than the First Proposed Route or the Second Proposed Route. AZ Ocala

⁴ *Id.* at Volume II-B, Appendix A: Alignment Sheets, Typical Drawings, and Summary of Reroutes and Workspace Modifications, Revised Table A-1, page A-13, Reroute 224.

⁵ Diagrams of the First Proposed Route, the Second Proposed Route (aka Drake Reroute) and the AZ Ocala Proposed Route are provided as Exhibit 1 to the expert report submitted herewith as Attachment 1.

CO14-1

We have reviewed the route variation proposed by AZ Ocala along the north and east boundaries of their property and information provided by Sabal Trail, and conclude that AZ Ocala's proposed variation is an improvement in terms of the amount of collocation with existing rights-of-way and would reduce impacts on their pending development plans. While the AZ Ocala variation would be closer to 44 tracts, none of the tracts would be directly affected and all would be largely buffered from construction effects by existing road rights-of-way and wooded areas. As a result, we have revised section 4.3.2 of the EIS to include our analysis and a staff recommendation that Sabal Trail be required to adopt the AZ Ocala Variation into the proposed route, if the SMP Project is approved.

CO14 – AZ Ocala Ranch, LLC (cont'd)

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CO14-1
(cont'd)

commissioned well-qualified consultants to evaluate the impact on ecological and cultural resources of all three alternative pipeline routes through its property. The consultants' findings are presented in the report referred to previously and provided as Attachment 1. With respect to ecological impact, the consultants' conclusion is that the AZ Ocala Proposed Route (Alternative 1 in the attached consultants' report) would be expected to have a much lower likelihood of ecological impacts because it is 100% co-located along existing linear facilities. Neither of the other proposed routes come close to this degree of co-location. The extent of prior disturbance and the reduction of secondary impacts expected with co-location would substantially lessen the likelihood of ecological impacts. With respect to cultural resource impact, the AZ Ocala Proposed Route (Alternative 1) is also preferred. According to the consultants' report, due to its 100% co-location along existing linear facilities, sub-surface deposits or sites along the AZ Ocala Proposed Route would already have been disturbed and placed on the record. Unlike the Second Proposed Route (Alternative 2 in the attached consultants' report), no notably disturbed sub-surface cultural materials were found within the AZ Ocala Proposed Route. And the close proximity of the First Proposed Route (Alternative 3 in the attached consultants' report) to the Withlacoochee River gives it a higher probability of buried depositional events than the AZ Ocala Proposed Route. In addition, the AZ Ocala Proposed Route is more consistent with Commission policy than the other two routes proposed heretofore by Sabal Trail.

As discussed, AZ Ocala has concrete plans to develop active adult retirement communities on the property that would be traversed by the proposed pipeline. The communities will collectively have up to 3,600 homes and include community recreational facilities, trails, lakes, an 18 hole championship golf course and 9 hole executive golf course and a 1400 acre wetlands mitigation bank. The property will have centralized water and sewer facilities. Water will be provided by onsite wells and storage and sewer will be provided by installing a 16" force

CO14 – AZ Ocala Ranch, LLC (cont'd)

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CO14-1
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main line that will extend from the site four miles to the north to the existing Oak Run Waste Water Treatment Facility. Effluent water for our lake system and golf course will be delivered to the site from the Oak Run Waste Water Treatment Facility.

Development plans have been underway for several years with well over \$500,000 spent so far during the predevelopment process, and in the next six months AZ Ocala will be spending another \$3,000,000 processing its Land Use Classification with the State of Florida and Marion County, and Zoning and Development Agreements for the site with Marion County, and a 1,400-acre Mitigation Bank with the State of Florida and the Army Corp of Engineers. AZ Ocala has hired a team of consultants⁶ that have studied and continue to study and provide reports for the site including but not limited to Traffic Studies, Density Analysis and Planning, Hydrology Reports and Environment Assessments.

AZ Ocala is very concerned about the adverse impact on the planned development if the pipeline is sited on either of the routes proposed by Sabal Trail. AZ Ocala's development plans and progress toward fulfilling them are discussed in the Affidavit of Scott Seldin, provided as Attachment 2.

The Commission's regulations and policies emphasize both the consideration of landowner preferences and the use of existing rights of way in approving new pipeline construction. Under the Commission siting and maintenance requirements for new facilities, the desires of landowners must be taken into account in the planning, locating, clearing, and maintenance of right-of-way and the construction of facilities on their property.⁷ These regulations also provide that the siting, construction, and maintenance of facilities shall be

⁶ The consultants engaged by AZ Ocala are listed in the Seldin Affidavit, submitted herewith as Attachment 2.

⁷ 18 C.F.R. §380.15(b).

CO14 – AZ Ocala Ranch, LLC (cont'd)

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CO14-1
(cont'd)

undertaken in a way that avoids or minimizes effects on scenic, historic wildlife, and environmental values.⁸

In particular, in reviewing a siting proposal, the Commission must consider the "use, widening, or extension of existing rights-of-way ... in locating proposed facilities."⁹ Moreover, the Commission consistently has indicated a preference for utilizing existing rights-of-way as a means of minimizing environmental disturbance.¹⁰ Under the AZ Ocala Proposed Route, the pipeline would follow the right of way for an existing Duke Energy transmission line. Thus, the AZ Ocala Proposed Route is clearly more consistent with longstanding Commission policy that favors pipeline routes that follow the rights-of-way of existing facilities rather than disturbing greenfield property, and is more consistent with scenic, environmental and other important values.

The AZ Ocala Proposed Route adjusts the route of the pipeline so that the project follows existing facilities including the right-of-way of a Duke Energy transmission line. This minor adjustment is in the public interest and is fully consistent with Commission policy. In addition, the AZ Ocala Proposed Route would avoid unnecessarily restricting future productive development of the land, as described above, that would be restricted by the First Proposed Route or the Second Proposed Route.

In AZ Ocala's multiple meetings and discussions with Sabal Trail about the AZ Ocala Proposed Route, Sabal Trail has expressed no substantive opposition to the route on ecological

⁸ 18 C.F.R. § 380.15(e).

⁹ 18 C.F.R. § 380.15(c)(1).

¹⁰ *Millennium Pipeline Co., L.L.C.*, 141 FERC 1161198, at P 37 (2012); *see also Dominion Transmission, Inc.*, 135 FERC 11 61,239, at P 73 (2012) (rejecting a proposed route that was "contrary to the Commission's preference for routing along an established right-of-way where possible, as this generally reduces the impacts of a new right-of-way") and *Florida Gas Transmission Co., LLC*, 129 FERC 1161,150, at P 29 (2004).

CO14 – AZ Ocala Ranch, LLC (cont'd)

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CO14-1
(cont'd)

or cultural grounds. Sabal Trail has admitted orally to AZ Ocala that FERC policy favors pipeline routes that are co-located. Although Sabal Trail has indicated to AZ Ocala that its Second Proposed Route (the Drake Reroute) is now its preferred route and that it won't support the AZ Ocala Proposed Route, Sabal Trail's only stated objection to the AZ Ocala Proposed Route is that Sabal Trail would have to notify additional abutting landowners.

However, Sabal Trail has known of AZ Ocala's concerns and the AZ Ocala Proposed Route for many months. Specific discussions about this route alternative took place in the June 9, 2015 meeting between Sabal Trail and AZ Ocala, and have taken place in each meeting or conference call since then. Sabal Trail could have easily notified the additional landowners at one of those earlier points in the process, and it would have had their comments and reactions fully in hand in July or August. Any objection about bringing additional landowners into the process has no merit; it could have been done months ago.

Moreover, by AZ Ocala's calculation after reviewing maps and land records, there are only 44 adjoining lots owned by 40 landowners along the AZ Ocala Proposed route. This is not a large number by any measure. It would not be a complicated task to notify these land owners and take their views into consideration.

In addition, it is important to emphasize that the AZ Ocala Proposed Route is 100% co-located on AZ Ocala's property; and as the attached expert report points out, there would be a significant buffer between the pipeline and any homes on adjacent properties. Given the width of the pipeline right of way, the adjacent road width and road right of way, and the distance beyond the road that homes and structures appear to be on adjacent properties, there would be a buffer of between 95 and 115 feet between the pipeline and homes. AZ Ocala is not proposing

CO14 – AZ Ocala Ranch, LLC (cont'd)

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CO14-1
(cont'd)

that the pipeline traverse the property of other landowners, and this would be a more than adequate buffer between the pipeline and the homes of adjacent land owners.

AZ Ocala does not oppose this pipeline and does not seek to delay. In its discussions with Sabal Trail, AZ Ocala even offered to assist in the notification of abutting landowners if that would expedite the process. At this point, Sabal Trail cannot persuasively argue that notifying additional landowners would be burdensome or unwarranted. This is an issue Sabal Trail could have and should have addressed months ago.

V. COMMUNICATIONS

AZ Ocala requests that all notices, orders, correspondence, and other communications related to this proceeding be directed to the following individual:

William L. Massey

Covington & Burling LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001-4956
Telephone: (202) 662-6000
Email: wmassey@cov.com

VI. CONCLUSION

AZ Ocala understands that Sabal Trail's proposed pipeline has an important purpose and is not seeking to delay its construction or oppose its certification. AZ Ocala's only concern is the short portion of the route that crosses its property in Marion County, Florida.

AZ Ocala respectfully requests that that Commission staff review the expert report submitted herein as Attachment 1, and that it evaluate the AZ Ocala Proposed Route in the preparation of the final FIS. AZ Ocala further requests that the Commission certificate the AZ Ocala Proposed Route. For the reasons discussed above, the AZ Ocala Proposed Route is the

CO14 – AZ Ocala Ranch, LLC (cont'd)

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superior route. It follows a Duke Energy transmission line and is 100% co-located. It has a lower probability of adverse environmental and cultural impacts than the two routes heretofore proposed by Sabal Trail to cross AZ Ocala's property, and is more consistent with the Commission's regulations and policies that emphasize both the consideration of landowner preferences and the use of existing rights of way in approving new pipeline construction.

Respectfully submitted,

/s/ William L. Massey
William L. Massey
Attorney for
AZ Ocala Ranch, LLC

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Dated: October 26, 2015

CO14 – AZ Ocala Ranch, LLC (cont'd)

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing Comments of AZ Ocala Ranch, LLC upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, DC, this 26th day of October, 2015.

/s/ William L. Massey
William L. Massey

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ATTACHMENT

1

O-181

CO14 – AZ Ocala Ranch, LLC (cont'd)

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2015-048.102

**PROPOSED SABAL TRAIL GAS PIPELINE
ALTERNATE ROUTE EVALUATION
MARION COUNTY, FLORIDA**

Prepared by:

Breedlove, Dennis & Associates, Inc.
30 East Liberty Street
Brooksville, Florida 34601
Phone: (352) 799-9488
Fax: (352) 799-9588

and

Hays & Dennis, LLC
2244 5th Avenue
Fort Worth, TX 76110
Phone: (817) 879-4550

October 1, 2015

The attachments to this letter are available for view on the FERC's eLibrary site using accession number 20151026-5287.

COMPANIES AND ORGANIZATIONS

CO15 – Gulf Restoration Network

20151026-5391 FERC PDF (Unofficial) 10/26/2015 3:25:41 PM



UNITED FOR A HEALTHY GULF

541 Julia Street, Suite 300, New Orleans, LA 70130
Phone: 504.525.1528 Fax: 504.525.0833

26 October, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 first Street NE, Room 1A
Washington, DC 20426

RE: **FERC CP15-17 Sabal Trail Transmission, LLC ("Sabal Trail")** in Florida, Georgia, and Alabama

Dear Ms. Bose,

I am writing on behalf of the Gulf Restoration Network (GRN), a diverse coalition of individual citizens and local, regional, and national organizations committed to uniting and empowering people to protect and restore the resources of the Gulf of Mexico. We object to the draft EIS for **Sabal Trail Transmission, LLC ("Sabal Trail", CP15-17), which is woefully lacking in information necessary to comment on wetlands impacts.** These concerns extend to **Hillabee Expansion ("Hillabee", CP15-16), and Florida Southeast Connection ("FL SE", CP14-544)** as well.

First, we incorporate and adopt herein by reference the comments on this DEIS submitted to the Federal Energy Regulatory Commission on or about October 26th by GreenLaw, on behalf of Chattahoochee Riverkeeper, Flint Riverkeeper, Kiokee-Flint Group, GRN and the Sierra Club and by the Blue Ridge Environmental Defense League, and reserve the right to rely on these comments.

Second, the proper notifications and opportunities for public comment on wetlands have not been undertaken to the fullest extent of the law. We have labored to reconstruct impact and mitigation information in the short time available to comment, but the fundamental issue remains that there is little to no information on mitigation, such that an informed comment is impossible.

Given the magnitude of impacts of the project, it is likely that the wetlands impacts are not able to be mitigated. This would explain the lack of information in the draft EIS. If wetlands impacts can be mitigated, FERC must supplement the current EIS with sufficient information on impacts and mitigation plans so that the public can comment.

We describe why comment is impossible, and specific inadequacy of mitigation information in the sections below.

CO15-1 **1. The Sabal Trail DEIS fails to adequately describe wetland impacts to watersheds.**

Wetland impacts of the Sabal Trail, Hillabee, and Florida Southeast projects have been listed as summary tables and as an appendix. The summary tables are by basic wetland type and state. However, to comment on sedimentation and loss of water quality, the public must have knowledge of what watersheds and waterbodies are impacted, not only the state or jurisdiction in which the impact occurs.

CO15-1

Watersheds crossed by the SMP Project are listed in table 2.3.2-1 of the EIS and include the milepost range that each watershed is crossed. The watershed associated with a given wetland crossing can therefore be determined by correlating the mileposts from each source.

CO15 – Gulf Restoration Network (cont'd)

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CO15-1 (cont'd) The appendix describing wetland impacts lists the county of impact, which, although finer scale, is not the watershed (HUC 8), which is the basis for deciding on the appropriateness of a USACE mitigation bank. Because the impacts are not described by watershed, there is no way for the public to comment on the appropriateness of the mitigation banks listed (where they are even listed), and whether such banks even hold sufficient number of credits necessary for mitigation of ecological functions.

CO15-2 **2. The Sabal Trail DEIS fails to describe the location and function of Limesink wetlands.**

Limesink wetlands are merely mentioned. Neither the wetland tables nor the appendix on wetland impacts describes which items impacted are limesink wetlands, and to what degree. Nor is avoidance or minimization described.

The public cannot comment on whether impacts have been avoided or whether mitigation is possible without geographic information on these special aquatic sites.

CO15-3 **3. The Sabal Trail DEIS fails to describe a Mitigation Plan, as described under 33 C.F.R. § 332.4(c) and 33 C.F.R. § 332.4-7**

Federal law requires the applicant to compensate for, or mitigate, the damages resulting from the destruction of our nation's wetlands, if the permit is issued. In the DEIS, there is only a vague mention of proposed plans for the use of certain mitigation banks to offset any unavoidable losses to wetland functions caused by project implementation. These mentions are organized by project; each succeeding project contains less and less information.

The Sabal Trail DEIS refers to the USACE process, but those public notices (SAM 2014 00238, SAM 2014 00655, SAS 2013 00942, SAJ 2013 03030, SAJ 2013 03099) are even more deficient in their information of impacts and mitigation.

We have applied for the full application information from the Corps districts, but those FOIAs will not be answered until after the close of the FERC comment period.

It is impossible for the public to adequately comment on a project without being able to also review more detailed proposed mitigation plans. For this reason, all permit applications and DEIS documents -- all documents subject to NEPA should include specific mitigation plans so that they can be evaluated throughout the application process, rather than none of them.

According to the joint EPA/USACE "Compensatory Mitigation for Losses of Aquatic Resources; Final Rule" (33 CFR 332.4(c)), mitigation plans for all wetland compensatory mitigation projects must contain specific elements, including:

CO15-2 Limesink wetlands are discussed in section 3.4.3.2 of the EIS, including a description of their occurrence, and we have amended this section to reference the measures that Sabal Trail would implement to avoid and minimize impacts on wetlands. In addition, we have amended table 3.4.1-2 to denote which wetlands were identified as potential limesink wetlands.

CO15-3 See the response to comment FA2-3.

CO15 – Gulf Restoration Network (cont'd)

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CO15-3
(cont'd)

- site selection criteria
- baseline information for impact and compensation sites
- ecological performance standards
- monitoring requirements

Given the general failure of mitigation, the mere mention of a possible plan is obviously not sufficient to evaluate whether the chosen mitigation plan is compensating for wetland losses according to these four criteria, much less the full number. A mitigation plan could place wetland mitigation in another Corps district, for example. A mitigation plan could be based on property that has not been purchased, or land that is simply not able to be restored to a given level functional lift.

Due to the dearth of information concerning mitigation plans, neither the DEIS nor Corps public notices offer meaningful opportunity for our members who reside near the development to scrutinize and comment on the proposed project. Corps/EPA regulations concerning mitigation plans specifically require that there must be "adequate [mitigation plan] information included ...to enable the public to provide meaningful comment," providing exception only for data which is "legitimately confidential for business purposes."¹

The mere mention of the existence of some mitigation banks vaguely in the area, or rules on mitigation banking cannot reasonably satisfy this requirement of "adequate information" to allow "meaningful comment." Mitigation banks in the region may lack the credits necessary for adequate compensation of wetland functions. We assume this is the case, given the total lack of information given in the DEIS.

Considering that localities in Alabama, Georgia, and Florida have a strong public interest in minimizing, in every watershed, the effects of water pollution and localized flooding, the nature and location (by HUC 8 and linear stream) of compensatory mitigation is of vital importance to those who wish to provide meaningful comment.

Geography of impacts is not given, so the degree of insufficiency, both in terms of the magnitude of credits and in terms of the appropriateness of the location, by watershed (HUC8), cannot be determined. The Corps has presented the public with even less information.

As mitigation must be in place before the permit can be approved, this is highly unsettling.

¹ 40 CFR § 230.94(b).

CO15 – Gulf Restoration Network (cont'd)

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CO15-3
(cont'd)

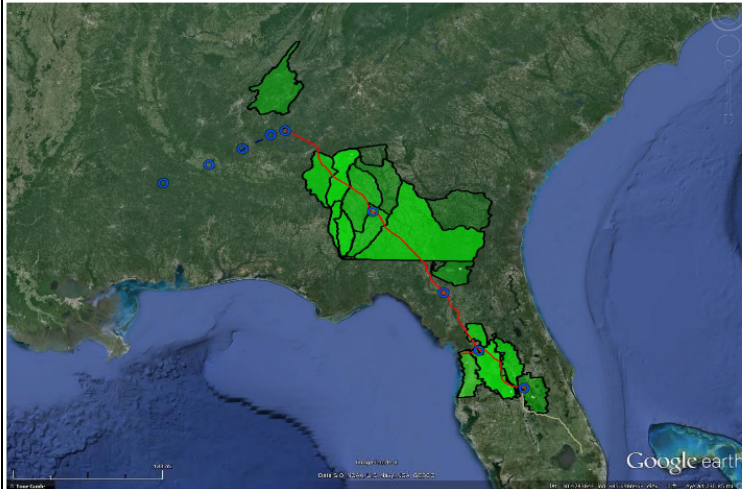


Fig 1. Graphic of the entirety of information on impacts (lines and circles) as well as mitigation bank coverage (green polygons) listed in the draft DEIS. This information is wildly insufficient. It appears that much of the impact is not being mitigated.

The Figure above represents the information available on the possibility of mitigation for the project by the DEIS. Lines are estimates from a crude graphic of the Southeast Market Project, rather than a precise display, because there is no other geographic information available on wetland impacts, even in the 70 page appendix.

The gray line is the Florida Southeast Connection (CP14-554), the red line is Sabal Trail (CP15-17), and the blue line is Hillabee Expansion (CP15-16). The circles are Compressor Stations. The green areas are the HUC8 watersheds where mitigation is described taking place, according the DEIS.

This coverage is wildly insufficient, for each project, as well as the entirety of the Southeast Market Pipelines Projects. There are many watersheds in which there are apparently large impacts, but no mitigation at all.

CO15 – Gulf Restoration Network (cont'd)

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CO15-3
(cont'd)

Further detail on mitigation requirements in 33 C.F.R. § 332 follows.

To satisfy the Clean Water Act, mitigation plans must provide a level of detail “commensurate with the scale and scope of the impacts” (33 C.F.R. § 332.4(c)) and include the following information:

1. “A description of the resource type(s) and amount(s) that will be provided, the method of ecoregion, physiographic province, or other geographic areas of interest.” 33 C.F.R. § 332.4(c)(2).
2. “A description of the factors considered during the site selection process. This should include consideration of watershed needs, onsite alternatives where applicable, and the practicability of accomplishing ecologically self-sustaining aquatic resource restoration, establishment, enhancement, and/or preservation at the compensatory mitigation project site.” 33 C.F.R. § 332.4(c)(3).
3. “A description of the legal arrangements and instrument, including site ownership, that will be used to ensure the long-term protection of the compensatory mitigation project.” 33 C.F.R. § 332.4(c)(4).
4. “A description of the ecological characteristics of the proposed compensatory mitigation project site... This may include descriptions of historic and existing plant communities, historic and existing hydrology, soil conditions, a map showing the locations of the impact and mitigation site(s) or the geographic coordinates for those site(s), and other site characteristics appropriate to the type of resource proposed as compensation. The baseline information should also include a delineation of waters of the United States on the proposed compensatory mitigation project site.” 33 C.F.R. § 332.4(c)(5).
5. “A description of the number of credits to be provided, including a brief explanation of the rationale for this determination,” including “an explanation of how the compensatory mitigation project will provide the required compensation for unavoidable impacts to aquatic resources resulting from the permitted activity.” 33 C.F.R. § 332.4(c)(6).
6. “Detailed written specifications and work descriptions for the compensatory mitigation project, including, but not limited to, the geographic boundaries of the project; construction methods, timing, and sequence; source(s) of water, including connections to existing waters and uplands; methods for establishing the desired plant community; plans to control invasive plant species; the proposed grading plan, including elevations and slopes of the substrate; soil management; and erosion control measures.” 33 C.F.R. § 332.4(c)(7).
7. “A description and schedule of maintenance requirements to ensure the continued viability of the resource once initial construction is completed.” 33 C.F.R. § 332.4(c)(8).
8. “Ecologically-based standards that will be used to determine whether the compensatory mitigation project is achieving its objectives.” 33 C.F.R. § 332.4(c)(9).

CO15 – Gulf Restoration Network (cont'd)

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CO15-3
(cont'd)

9. "A description of parameters to be monitored in order to determine if the compensatory mitigation project is on track to meet performance standards and if adaptive management is needed. A schedule for monitoring and reporting on monitoring results to the district engineer must be included." 33 C.F.R. § 332.4(c)(10). The mitigation plan must provide for a monitoring period that is sufficient to demonstrate that the compensatory mitigation project has met performance standards, but not less than five years. A longer monitoring period must be required for aquatic resources with slow development rates (e.g., forested wetlands, bogs). 33 C.F.R. § 332.6.
10. "A description of how the compensatory mitigation project will be managed after performance standards have been achieved to ensure the long-term sustainability of the resources, including long-term financing mechanisms and the party responsible for long-term management." 33 C.F.R. § 332.4(c)(11).
11. "A management strategy to address unforeseen changes in site conditions or other components of the compensatory mitigation project, including the party or parties responsible for implementing adaptive management measures. The adaptive management plan will guide decisions for revising compensatory mitigation plans and implementing measures to address both foreseeable and unforeseen circumstances that adversely affect compensatory mitigation success." 33 C.F.R. § 332.4(c)(12).
12. "A description of financial assurances that will be provided and how they are sufficient to ensure a high level of confidence that the compensatory mitigation project will be successfully completed, in accordance with its performance standards." 33 C.F.R. § 332.4(c)(13).
13. The mitigation plan must provide for a monitoring period that is sufficient to demonstrate that the compensatory mitigation project has met performance standards, but not less than five years. A longer monitoring period must be required for aquatic resources with slow development rates (e.g., forested wetlands, bogs). 33 C.F.R. § 332.6.
14. The compensatory mitigation requirements must be clearly stated and include special conditions that "must be enforceable." The special conditions must: "(i) Identify the party responsible for providing the compensatory mitigation; (ii) Incorporate, by reference, the final mitigation plan approved by the district engineer; (iii) State the objectives, performance standards, and monitoring required for the compensatory mitigation project, unless they are provided in the approved final mitigation plan; and (iv) Describe any required financial assurances or long-term management provisions for the compensatory mitigation project, unless they are specified in the approved final mitigation plan..." 33 C.F.R. § 332.3(k). "The special conditions must clearly indicate the party or parties responsible for the implementation, performance, and long-term management of the compensatory mitigation project." 33 C.F.R. § 332.3(l).
15. "The real estate instrument, management plan, or other mechanism providing long-term protection of the compensatory mitigation site must, to the extent appropriate and practicable,

CO15 – Gulf Restoration Network (cont'd)

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CO15-3
(cont'd)

prohibit incompatible uses (e.g., clear cutting or mineral extraction) that might otherwise jeopardize the objectives of the compensatory mitigation project.” 33 C.F.R. § 332.7(a).

A key element of a legally adequate mitigation plan is the inclusion of ecological performance standards for assessing whether the mitigation is achieving its objectives, and these are described under **33 C.F.R. § 332.5**.

“Performance standards should relate to the objectives of the compensatory mitigation project, so that the project can be objectively evaluated to determine if it is developing into the desired resource type, providing the expected functions, and attaining any other applicable metrics (e.g., acres).” 33 C.F.R. § 332.5(a).

“Performance standards must be based on attributes that are objective and verifiable. Ecological performance standards must be based on the best available science that can be measured or assessed in a practicable manner. Performance standards may be based on variables or measures of functional capacity described in functional assessment methodologies, measurements of hydrology or other aquatic resource characteristics, and/or comparisons to reference aquatic resources of similar type and landscape position. The use of reference aquatic resources to establish performance standards will help ensure that those performance standards are reasonably achievable, by reflecting the range of variability exhibited by the regional class of aquatic resources as a result of natural processes and anthropogenic disturbances. Performance standards based on measurements of hydrology should take into consideration the hydrologic variability exhibited by reference aquatic resources, especially wetlands. Where practicable, performance standards should take into account the expected stages of the aquatic resource development process, in order to allow early identification of potential problems and appropriate adaptive management.” 33 C.F.R. § 332.5(b).

The information provided on impacts and mitigation is wildly insufficient for us to adequately comment, especially on limesink wetlands. What is clear is that regulations are not being followed.

What little information is available suggests that the mitigation available is wildly insufficient to compensate for impacts to aquatic resources of the United States by these projects, whether examined individually or together.

To assure that minimization and mitigation in the same watershed and for the correct type of wetlands are occurring, we request that the mitigation bank and avoidance and minimization statement, for each mitigation bank used, are included in future NEPA documents.

Due to the fact that this regulation is not followed, the DEIS is incomplete and must be supplemented with information on impacts and mitigation plans.

CO15 – Gulf Restoration Network (cont'd)

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CO15-3
(cont'd) | *We request a supplemental EIS with information on wetland impacts.*

CO15-4 | **4. The final plan, including a mitigation plan, must be made available to the public before any permits are granted.**

We feel that the current DEIS is not adequate to fully involve the public in the FERC permitting process. The only item available to the public in the entire process is the DEIS and the Corps Public Notices, which occurs before FERC, the Corps and the permittee go through the “avoid, minimize, and mitigate” process. Therefore, the public is never given the opportunity to comment on the final project, including the mitigation plan.

We have often been told that many changes happen to the permits before they are issued, but the public never sees them until the wetlands have already been filled and water quality altered.

We request more information in the DEIS (e.g., location of impacts by watershed and by stream body, necessity of project location, adequate alternative analysis, environmental assessments).

Due to the fact that this regulation is not followed, the DEIS is incomplete and must be supplemented with a mitigation plan.

CO15-5 | *We request a supplemental EIS with information on wetland impacts, including locations of impact, locations of impact to limesink wetlands, total impact (AAHU) by to watersheds (HUC8), a list of regional mitigation banks with available credits by type and location (HUC8).*

It seems that the impacts cannot be mitigated. FERC cannot issue a permit if wetland impact cannot be mitigated.

In order to keep us and the public properly informed, we request notification of approvals/denials/changes to The Southeast Market Pipelines Project, the Sabal Trail DEIS, The Sabal Trail project (CP15-17), the Hillabee Expansion (CP15-16), and Florida Southeast Connection (CP14-554).

We look forward to a written response.

For a healthy Gulf,
[sent via e-file]



Scott Eustis, Coastal Wetland Specialist

Cc: Matt Rota, Senior Policy Director
Cynthia Sarthou, Executive Director

CO15-4 See the response to comment FA2-3.

CO15-5 See responses to FA2-3, CO15-1, and CO15-2. A supplemental EIS is not necessary. The final EIS considers all comments filed on the draft EIS and reflects changes made to the draft EIS per the comments received.

COMPANIES AND ORGANIZATIONS

CO16 – Georgia-Alabama Land Trust

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GEORGIA-ALABAMA LAND TRUST
Protecting Land for Present & Future Generations



October 26, 2015

VIA ELECTRONIC FILING

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

**Re: Southeast Market Pipelines Project
Sabal Trail Transmission, LLC
Docket No. PF14-1-000
Scoping Comments**

Dear Ms. Bose:

The Georgia-Alabama Land Trust, Inc. (GALT) is an accredited land trust protecting over 260,000 acres of productive farm and forestland and sensitive wildlife and plant habitat throughout Georgia and Alabama; all of this protected habitat was specifically identified for permanent protection due to its significant conservation value, as defined within both federal and state law.

Notably, a significant portion of this protected land is located in southwest Georgia (the Southeastern Plains ecoregion), a geography with significant bottomland hardwood forest, depressional wetlands, and an incredibly high percentage of prime and statewide important soils. Regrettably, this conservation value-rich ecoregion coincides with the path of the proposed Sabal Trail Pipeline. Furthermore, the locations of some of our protected, high-conservation value properties, such as Nonami Plantation in Dougherty County, fall directly within a proposed pipeline route. GALT respectfully requests you consider the following comments:

The Pipeline Threatens Both the Community and the State of Georgia

The Southeastern Plains ecoregion has significant conservation value, owing to its numerous depressional wetlands, bottomland hardwood forests, longleaf pine-wiregrass savannahs, and significant riparian systems, such as the Flint River. Notably, these are all habitats designated "high priority" for protection by the Georgia Department of Natural Resources (DNR) within the Georgia Comprehensive Wildlife Conservation Strategy (GCWCS). Promulgated by the DNR and conservation partners including the US Fish and Wildlife Service, the GCWCS was developed to enable the DNR to assess and address its outstanding wildlife diversity on a comprehensive statewide scale. Thus, the GCWCS describes a strategy for the comprehensive conservation of Georgia's wildlife, including identifying high priority habitats in need of protection. Pipeline construction would not only immediately compromise significant amounts of

CO16-1

The commentor's concern regarding impacts on wildlife habitat is noted. Section 3.6 addresses wildlife impacts associated with the Sabal Trail Project.

161-O

CO16-1

226 Old Ladiga Road • Piedmont, Alabama 36272
Telephone 256.447.1006 • Fax 888.876.3883 • Website www.galandtrust.org

CO16 – Georgia-Alabama Land Trust (cont'd)

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CO16-1 (cont'd) | these GCWCS-designated "high-priority" habitats, it would also subject them to an ongoing threat. Accordingly, the proposal conflicts with the State's existing Conservation Strategy.

CO16-2 | It should be also noted that the Flint River, which existing plans show the pipeline impacting through crossings, is identified not only by GCWCS as a "high priority" protection area, but also by the federal Endangered Species Act of 1973 (ESA) and the rules promulgated by the US Fish and Wildlife Service under authority delegated to it by the ESA. Specifically, the ESA provides for the conservation of endangered and threatened species of fish, wildlife, and plants, by identifying specific species and habitats for various levels of protection. The Flint River is designated "critical habitat" under the ESA and its rules because of its importance to federally listed endangered species, such as gulf moccasinshell, oval pigtoe, and shinyrayed pocketbook, all known to the Flint River Watershed.

CO16-3 | This ecoregion also boasts some of the highest percentages of prime and statewide important soils within the state. These soils are highly productive for agricultural and timber purposes, often outperforming other soils located elsewhere. Accordingly, preserving said soils yields to the public the benefit of continued productive farmland, ensuring its availability for such uses and alleviating the need to exploit less-productive soils elsewhere. The potential loss or impact to prime or statewide important soils is a significant risk that cannot be overlooked. In the event such soils are compromised at any point in the future, it would take more non-prime soils – and more energy and resources being put into them – to generate the same agricultural and economic output and that previously resulted from the compromised prime or statewide important soils. Therefore, the maintenance of prime and statewide important soils continues to be of great importance to the people of Georgia and the public generally from both food security and economic perspectives.

Unfortunately, much of the land through which the pipeline purports to cross is either prime or statewide important soils. This results in the pipeline conflicting with the goals of the Georgia Conservation Use Value Assessment program, which seeks to protect the conversion of productive agricultural and forested land, as well as Subtitle II of Title XII of the federal Food Security Act of 1985, as amended by Section 2301 of the federal Agricultural Act of 2014, which seeks to protect properties containing high-value agricultural soils by ensuring their continued use as productive working lands.

CO16-4 | For these reasons, GALT believes the Sabal Trail Pipeline poses a significant and quantifiable threat to the integrity of prime farm and forest soils, sensitive wildlife and plant habitats, riparian systems, food security, and economic engines that are important to the people of Georgia and, thus, a more thorough investigation of the safety, environmental, and economic risks associated with locating the Pipeline and Station in the region should be conducted.

Conclusion

In summary, GALT urges FERC to further investigate whether the Project's potential impacts and risks to important ecological services and habitat, agricultural output, food security, and a key economic engine to the community and State have been fully considered in evaluating the Project's merit.

CO16-2 | Section 3.3.2, 3.7, and 3.8 of the EIS state that the Flint River would be crossed by the HDD method, which would minimize or avoid impacts to this sensitive waterbody.

CO16-3 | Table 3.2.1-2 discloses that operation of the Sabal Trail Project would impact approximately 1,018 acres of prime and state classified soil in Alabama, Georgia, and Florida. However, 86 percent of this impact would occur in the pipeline operating right-of-way, where most agricultural land uses could continue after construction. Section 2.3 describes the construction and restoration methods that the Applicants would implement to reduce impacts on soils and minimize erosion; section 2.3.2.5 specifically addresses topsoil segregation and restoration methods in cultivated fields and pasture land.

CO16-4 | Comment noted.

CO16 – Georgia-Alabama Land Trust (cont'd)

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Sincerely,

GEORGIA-ALABAMA LAND TRUST, INC.



Hal Robinson, Esq., LL.M., Environmental Law & Energy Policy
Director Of Legal Affairs and Compliance
Georgia-Alabama Land Trust, Inc.

COMPANIES AND ORGANIZATIONS

CO17 – WWALS

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WWALS Watershed Coalition, Inc., a WATERKEEPER® Affiliate and 501(c)(3), PO Box 88, Hahira, GA 31632



October 26, 2015

Norman C. Bay, Chairman
Tony Clark, Commissioner
Cheryl A. LaFleur, Commissioner
Phillip D. Moeller, Commissioner
Colette D. Honorable, Commissioner
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: Sabal Trail Transmission, LLC
FERC Docket No. CP15-17-000

Dear Commissioners:

In denying Docket No. CP10-481, FERC concluded that: "Turtle Bayou had not demonstrated a specific showing of need for its proposed storage facility in proportion to the identified adverse impact on Mineral Interest Owners." In denying Spectra Energy's Algonquin Gas Transmission LLC Docket No. CP04-358 and Keyspan LNG's CP04-223 and CP04-293 FERC said: "This order finds that authorization of KeySpan's LNG import terminal facilities, as proposed, would be inconsistent with the public interest." The Floridan Aquifer is of far greater benefit to the people of Florida and south Georgia than any salt dome, and the Sabal Trail pipeline would bring to it more destruction and hazards than would any LNG import facility, all with no benefit to the people of Georgia and none to the people of Florida that could not be addressed more quickly with much cleaner and safer solar power. WWALS Watershed Coalition, Inc. therefore recommends that FERC deny the unnecessary, destructive, and hazardous Sabal Trail natural gas pipeline.

CO17-1 At the recommendation of Sabal Trail, I am forwarding to FERC an Amicus Brief WWALS sent to a legal proceeding in Leesburg, Georgia. At the recommendation of John Peconom, I am sending it directly to you the Commissioners, in addition to filing it in FERC Docket No. CP15-17.

WWALS Watershed Coalition advocates for conservation and stewardship of the Withlacoochee, Willacoochee, Alapaha, Little, and Upper Suwannee River watersheds in south Georgia and north Florida through awareness, environmental monitoring, and citizen activities.



www.wwals.net

WWALS Leesburg letter to FERC: cover page 1 of 2

wwalswatershed@gmail.com

CO17-1 Comment noted.

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CO17 – WWALS (cont'd)

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WWALS Watershed Coalition, Inc., a WATERKEEPER® Affiliate and 501(c)(3), PO Box 88, Hahira, GA 31632

- CO17-2 See especially Section 3.a., which details risks of drilling under the Suwannee and Withlacoochee Rivers in their fragile karst terrain, and recent sinkholes that have opened in Lowndes County Georgia near the proposed Sabal Trail crossing of the Withlacoochee River, in addition to the historic sinkholes that affected Valdosta's drinking water wells. That section reminds FERC again that the Georgia Water Coalition (GWC), a group of more than 200 organizations representing well over a quarter of a million Georgians published in its Dirty Dozen 2014, a list of the "Worst Offenses Against GEORGIA'S WATER," item number 9: "Withlacoochee River & Floridan Aquifer: Gas Pipeline Threatens Southwest Georgia Water, Way of Life."
- CO17-3 Section 4.b. Georgia law is also relevant, containing examples of Spectra Energy's long record of negligence, corrosion, leaks, and explosions. It also notes that "Multiple Georgia counties (Terrell, Dougherty, Colquitt, Brooks, and Lowndes) and two cities (Albany and Valdosta) have passed resolutions opposing Sabal Trail's pipeline. In addition, Lowndes County Chairman Bill Slaughter filed with FERC ("Letter from Lowndes County Chairman Bill Slaughter", in FERC Docket PF14-1, Accession Number 20140411-5077, 11 April 2014), fourteen points of ordinances and permits Sabal Trail must get from Lowndes County or demonstrate it has gotten from Georgia state agencies." Since then Moultrie, Georgia has also passed a resolution against Sabal Trail. Those county commissions represent the vast majority of the population along the pipeline path in Georgia, and Albany, Valdosta, and Moultrie are the three biggest cities along that route. In addition, Hamilton County, Florida was the first county to pass a resolution against Sabal Trail. The people have spoken in more than a thousand e-comments to FERC, and their elected officials have backed them.
- CO17-4 As the attached Amicus brief says, "no proposed route for Sabal Trail's pipeline through the Floridan Aquifer or under the Withlacoochee River would be an environmentally reasonable route". Okapilco Creek is also within WWALS territory, and since the date of that brief Waterkeeper Alliance has added the entire watershed of the upper Suwannee River to WWALS territory. Wherefore now WWALS asserts there is no environmentally reasonable route under any of those streams or through the Florida Aquifer for the Sabal Trail pipeline.

WWALS Watershed Coalition, Inc. respectfully demands FERC deny Sabal Trail's application for a Certificate of Convenience and Necessity.

Sincerely,

[/S]

John S. Quarterman

President

WWALS Watershed Coalition, Inc.

a Waterkeeper® Alliance Affiliate

229-242-0102

www.wwals.net

WWALS Leesburg letter to FERC cover page 2 of 2

wwalswatershed@gmail.com

- CO17-2 See the response to comment FA2-27 and sections 3.1 and 3.3 of the EIS which characterize the geologic and hydrogeologic conditions in the project area. Section 3.3.1.5 and, specifically, figures 3.3.1-3 and 3.3.1-5, detail the proposed HDD crossings of the Suwannee River and Withlacoochee River in Florida. Section 3.3.1.7 includes a detailed discussion of the potential impacts associated with the HDD method at these locations and explains why construction and operation of the Sabal Trail Project would not significantly impact the Floridan Aquifer, surface waters, or springs.
- CO17-3 As discussed in section 3.13.2, although this information is not relevant to the scope of the Hillabee Expansion Project or Sabal Trail Project, Transco and Sabal Trail provided a summary of the incidents on their respective pipeline systems. The Commission reviews each project based on its own merits and has siting authority for interstate natural gas infrastructure. PHMSA would be notified of and investigate all pipeline accidents and take any necessary action.
- CO17-4 See the response to comment CO17-2.

20151026-5439 FERC PDF (Unofficial) 10/26/2015 3:59:52 PM

IN THE SUPERIOR COURT OF LEE COUNTY
STATE OF GEORGIA

SABAL TRAIL TRANSMISSION, LLC,

Plaintiff,

Civil Action No.
14-CV-208RS

vs.

JAMES E. BELL, II and ROBERT A. BELL,

Defendants.

AMICUS CURIAE OF WWALS WATERSHED COALITION, Inc.

IN SUPPORT OF DEFENDANTS THE BELLS

COMES NOW WWALS WATERSHED COALITION, INC. (WWALS), as friends of the court and concerned citizens in the above-entitled action in support of the Defendants and file this their brief with the court in the above referenced case and states as follows and provides in support thereof the following:

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1. STATEMENT OF INTEREST

WWALS Watershed Coalition, Inc. (WWALS) is a Georgia nonprofit corporation and an IRS 501(c)(3) educational corporation advocating for conservation of the entire watersheds of the Withlacoochee and Alapaha Rivers in south Georgia and north Florida.¹ Sabal Trail Transmission LLC (Sabal Trail) proposes a natural gas pipeline under our Withlacoochee River, and through multiple counties in our watersheds, specifically Colquitt, Brooks, and Lowndes Counties, Georgia and Hamilton County, Florida. WWALS is an intervenor against Sabal Trail's pipeline in FERC Docket No. CP15-17.² This is the same pipeline Sabal Trail proposes through Mitchell County, Georgia, location of the subject property of this case. The WWALS Board of Trustees voted 8 April 2015 to send this brief to the court to object to Sabal Trail's attempts to claim Georgia eminent domain. Any such grant of eminent domain could have adverse effects on the Floridan Aquifer, which is the source of almost all water for drinking, agriculture, and industry in WWALS' watersheds, by facilitating the implementation of that environmentally damaging and hazardous pipeline, including destructive surveying and test wells long before any potential grant of a federal permit. Such hydrogeology concerns have already caused Sabal Trail to move off the Withlacoochee River in Florida. The same karst geology concerns continue to apply across the state line where Sabal Trail still proposes to cross the Withlacoochee River in Georgia.

¹No counsel for a party authored this brief in whole or in part, and no counsel or party made a monetary contribution intended to fund the preparation or submission of this brief. No person other than *amicus curiae*, its members, or its counsel made a monetary contribution to its preparation or submission.

²WWALS Watershed Coalition, Inc., "Motion to Intervene of WWALS Watershed Coalition, Inc. under CP15-17. et. al." FERC Accession Number 20141222-5054, 22 December 2014.

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2. SUMMARY OF ARGUMENT

Both federal and state law require balancing any alleged need for a new pipeline against adverse environmental consequences. The Federal Energy Regulatory Commission (FERC), to which Sabal Trail has applied for a permit, once denied a pipeline application because of adverse consequences on the owners of an underground salt dome. Any alleged need for Sabal Trail's proposed pipeline should have to meet a much higher standard to approach counterbalancing damage to the water supply for this entire region.

In Georgia, while O.C.G.A. 22-3-81 (1) defines "pipeline" as for "the transportation of petroleum or petroleum products in or through this state" it does not define petroleum products. The U.S. Energy Information Agency and the American Petroleum Institute define natural gas as a petroleum product. Therefore O.C.G.A. 22-3-84 applies to natural gas pipelines, and the language about natural gas pipelines in O.C.G.A. 22-3-88 further limits the applicability of eminent domain defined in previous sections from O.C.G.A. 22-3-80 onwards.

O.C.G.A. 22-3-84 requires any exercise of Georgia eminent domain by a pipeline company to be preceded by a permit from the Georgia Environmental Protection Division demonstrating similar counterbalance against "*undue hazard to the environment and natural resources of this state*". No such permit has been granted, and Sabal Trail has not even provided any evidence that hearings for such a permit have been held or have even been announced.

For these and other reasons described in this brief, WWALS respectfully requests the court to rule against Georgia eminent domain authority for Sabal Trail.

3. ARGUMENT

3.a. Evidence of the hazards

The karst limestone geology containing the Floridan Aquifer is fragile and easily damaged, as evidenced most recently by a filing by FERC itself in its Sabal Trail docket CP15-17, and by multiple studies by the U.S. Geological Survey (USGS), the Suwannee River Water Management District (SRWMD), and professors at Valdosta State University (VSU), including the ones described in this brief and illustrated in exhibits.

Both Florida and Georgia geological experts have expressed concerns about drilling under the Withlacoochee River, which is in WWALS watersheds. The technique proposed is HDD or horizontal-directional drilling; see Sabal Trail's "How We Cross Rivers & Streams" in Exhibit A. Quoting from "Summary of the April 1, 2015 interagency meeting held among FERC staff, Florida Department of Environmental Protection, et al regarding the Southeast Market Pipelines Project under CP14-554 et al." FERC Accession number 20150401-4004, 1 April 2014:

JANUARY 22, 2015 FLORIDA KARST MEETING

The FERC staff met with representatives from the Florida Department of Environmental Protection (FDEP), Florida Geological Survey (FGS), Florida Park Service (FPS), Suwannee River State Park, Suwannee River Water Management District (SRWMD), and Southwest Florida Water Management District (SWFWMD). The meeting was held at FGS offices in Tallahassee, Florida. ...

- *Sabal Trail karst characterization methods – existing databases and mapping; aerial photographic interpretation; geotechnical studies; geophysical studies.*

CO17 – WWALS (cont'd)

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- *Sabal Trail underestimated karst features - additional, more recent data available from agencies including LiDAR, potentiometric surface maps, and cave maps.*
- *Highest agency concern is associated with likely loss of drilling fluid associated with HDDs in limestone bedrock including at the Suwannee, Santa Fe, and **Withlacoochee** rivers.*
- *Drilling fluid loss would have an environmental impact; risk and magnitude of impact on groundwater, wells and springs should be based on updated, site-specific information.*
- *Sabal Trail karst mitigation measures - procedures to limit HDD drilling fluid loss; surface water, water well, and spring monitoring and mitigation plans; and sinkhole mitigation procedures.*
 - *Monitoring and mitigation plans should be based on updated, site-specific information and flow regimes at time of construction.*
 - *Consider using construction materials (sand, gravel, cobble) to mitigate sinkholes and other karst features encountered during construction.*
 - *High volumes of grout can locally affect aquifer quality and recharge.*
 - *Polymers not historically successful in preventing drilling fluid loss.*
 - *Pipeline right-of-way should be inspected for signs of sinkhole activity after major rain events.*
- *Private landowner adjacent to Suwannee River State Park opposes construction on his property, which is within a conservation easement. Minimize operating right-of-way if overland route occurs within the park.*

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CO17 – WWALS (cont'd)

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Emphasis added on **Withlacoochee rivers**. For the private landowner, see the section below on Sinkholes at new Sabal Trail Suwannee River crossing.

In the same 1 April 2015 FERC filing:

FEBRUARY 4, 2015 – GEORGIA KARST MEETING

The FERC staff met with Mr. Jim Kennedy, Georgia State Geologist, via conference call. The primary purpose of the meeting was to discuss Georgia geologic and hydrogeologic information presented by Sabal Trail in its FERC application and other supplemental filings. Topics discussed included: ...

- *One HDD would encounter limestone bedrock (**Withlacoochee River**).*
- *Discussed sinkhole development near Albany municipal well field.*

Emphasis added on **Withlacoochee River**. The only place Sabal Trail's current proposed preferred route would cross the Withlacoochee River is just south of US 84 between Brooks and Lowndes Counties in Georgia. Amicus WWALS is very concerned about that crossing, and the other crossing at I-75 on three alternate routes, both because the Withlacoochee River continues to form sinkholes that leak into the Floridan Aquifer, and because similar concerns just across the state line already caused Sabal Trail to move off the Withlacoochee River in Florida.

3.a.i. Withlacoochee River Georgia leaks into Floridan Aquifer

Sinkholes on the Withlacoochee River north of Valdosta that leak into the Floridan Aquifer have already forced the City of Valdosta to double the depth of its water wells, and have forced the County of Lowndes to spend more than \$300,000 on a sinkhole under a road.

Valdosta's water wells are now 400 feet to get below Withlacoochee River water in the aquifer. See 1 January 1999 USGS study, [Box E on Page 63](#) in Exhibit B.

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CO17 – WWALS (cont'd)

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As USGS noted, water underground travels for miles, and often not in the same direction as the Withlacoochee River (or any river) flows above-ground.

According to the City of Valdosta's Water Treatment web page, accessed 3 April 2015:

Where Does Your Water Come From

The City of Valdosta obtains its water supply from eight (8) wells that are drilled into an underground layer of porous, water bearing limestone known as the Upper Floridan Aquifer. This limestone layer lies under most of South Georgia and all of Florida. Generally, the aquifer is able to provide a prolific supply of good clean water. In Valdosta, the top of the aquifer lies approximately 200 feet below ground surface and the City's wells are drilled an additional 200 feet into the limestone. The Floridan Aquifer in the area of Valdosta and Lowndes County is known as a karst aquifer. This is an aquifer that has cracks, underground solution channels, and caverns. These cracks can provide a route to allow contaminants to enter the aquifer, move about in the aquifer and alter the water supply and can cause special challenges for the City's water system.

Formation of such sinkholes has not stopped. Geology Professor Don Thieme of Valdosta State University has documented a sinkhole that formed within two months at the junction of Cherry Creek with the Withlacoochee River. This Cherry Creek Sink is in the same sinkhole area marked on the USGS map in Illustration 1 above. As you can see in Exhibit C, which is a picture with a man standing inside, the Cherry Creek Sink is large.

CO17 – WWALS (cont'd)

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Prof. Thieme remarks that in 2014 slides (see Exhibit C) that the rock formations under those sinks are:

- *more pronounced and consistent than can be inferred from previous descriptions*
- *very hydrologically significant for Withlacoochee River at Valdosta! !*

Prof. Thieme and colleagues have mapped many other sinkholes throughout Lowndes County, including the one under a house garage east of the Withlacoochee River pictured 28 August 2012 in Exhibit D.

In 2007, a sinkhole opened under Snake Nation Road in Lowndes County, west of the Withlacoochee River sinkhole area marked on the USGS map in Exhibit B. This sinkhole was closer to the Withlacoochee River's tributary, the Little River. Lowndes County filled it in, but as reported by Jade Bulecza for WALB TV in "Sinkhole opens in Lowndes County" on 1 November 2010, this sinkhole reappeared 30 October 2010, as shown in the picture in Exhibit E.

Kay Harris reported for the Valdosta Daily Times in "Solutions to fixing sinkhole not easy" on 19 November 2010,

The Snake Nation Road sinkhole has proven a more difficult problem than originally expected. It is believed an underground cavern is causing the ground to collapse.

Lowndes County Engineer Mike Fletcher said the county hired Geohazards to conduct a geological survey around the hole. By drawing grids north and south, east and west, extending 550 feet around the hole, the company has found a large section adjacent to the hole that is in danger of collapsing as well as a second area farther down the road.

"This is much more serious than we first thought," said Fletcher. "We are looking at our options now to see what can be done."

CO17 – WWALS (cont'd)

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Jade Bulecza reported for WALB TV in "Lowndes Co. finds a sinkhole solution", 1 April 2011,

Snake Nation Road will be adjusted northward so motorists can go around the hole, and they're hoping to start work on it sometime this summer.

They estimate the project will cost about \$300,000. About three years ago the sinkhole opened for the first time and contractors put in about 12,000 yards of broken concrete and rubble to fill it up.

"We thought what we had was a good base to build a road back up but unfortunately that material is gone and were not sure where it's gone to but it's no longer there," said County Engineer Mike Fletcher.

Officials say the option they chose is more cost effective than filling it up and building a road over it. They also say a sonar detected another sinkhole underneath ground on snake nation road right beside the current one.

The area around the Withlacoochee River in south Georgia (see Exhibit F) is riddled with underground caverns that easily form sinkholes, in creeks, under garages, and under roads. Such sinkholes have already cost the City of Valdosta and the County of Lowndes substantial sums. We do not need an additional risk of sinkholes that could leak into our drinking water in the Floridan Aquifer or cause further property damage. This is not a good place to put a new pipeline, especially one as large as Sabal Trail proposes: 36-inch diameter plus another 12 inches for each borehole.

3.a.ii. Floridan Aquifer fragile across the state line into Georgia

The Georgia-Florida state line does not interrupt underground hydrology.

In a letter of 27 March 2014 to Laura P. Milligan, personnel of the Florida Department of Environmental Protection (FL DEP), including the map in Exhibit G. That letter noted:

In some local areas horizontal drilling near streams and rivers could impact local flow systems. The deeper horizontal drilling required to pass under large rivers like the Suwannee could potentially intercept karst conduits. Some possibility of restriction or redirection of groundwater flow exists. This could affect groundwater flow to local springs and impact Minimum Flows and Levels

They included the map on the right above in Illustration 7, showing Sabal Trail's proposed path going through the most vulnerable areas of the Floridan Aquifer in north Florida.

The vulnerability of the Floridan Aquifer does not stop at the state line, as you can see in the map in Exhibit 11 from USGS 19 April 2012, Lowndes and Brooks Counties Georgia continue the same affected area of the above map. The Floridan Aquifer extends all the way under Sabal Trail's proposed path through Colquitt, Dougherty, and Mitchell Counties to Lee County, Georgia, underneath the subject property and the Leesburg courthouse.

The Georgia Water Coalition (GWC) is a group of more than 200 [organizations](#) representing well over a quarter of a million Georgians; WWALS is a GWC partner. Annually GWC publishes the Dirty Dozen, A list of the "Worst Offenses Against GEORGIA'S WATER." In Georgia Water Coalition Dirty Dozen 2014, item number 9 is "Withlacoochee River & Floridan Aquifer: Gas Pipeline Threatens Southwest Georgia Water, Way of Life", which begins:

CO17 – WWALS (cont'd)

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“The Sabal Trail pipeline’s path across southwest Georgia would require boring underground pipelines beneath the Withlacoochee, Flint and Chattahoochee rivers as well as numerous smaller streams, and will course underground above the Floridan aquifer. While the Sabal Trail pipeline’s parent companies would have residents believe their 3-foot-diameter pipe is a benign neighbor, the history of gas pipeline accidents and environmental ills paints a different picture.”

Clearly there are significant problems with routing a 36-inch pipeline under rivers and through a drinking-water aquifer in fragile karst limestone, and significant public opposition. Opposition in Florida already moved the Sabal Trail pipeline off the Withlacoochee River in that state for similar reasons.

3.a.iii. Sabal Trail moved off the Withlacoochee River in Florida

Ann B. Shortell, Executive Director of Florida’s Suwannee River Water Management District, told FERC (“Comment letter and technical memorandum of Suwannee River Water Management District under PF14-1.” FERC Accession Number 20140418-5169, 18 April 2014) of numerous concerns about blasting, testing water extraction and wastewater, and these items:

- Portions of the route may pass through shallow karst with extensively developed cavernous porosity. Shallow caves may be of sufficient size to preclude installing effective support for the pipe.
- Grouting in cavernous porosity zones may be ineffective. Excessive grout pumping may cause localized groundwater contamination if pumped into flow systems.
- Horizontal directional drilling in cavernous karst has potential to trigger sinkhole formation or disruption of natural groundwater flow patterns.

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CO17 – WWALS (cont'd)

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When Sabal Trail proposed to cross the Withlacoochee River in Florida, Hamilton County, Florida resident Chris Mericle (now a WWALS board member), posted a video, "Our Holly Point Treasures", on YouTube (13 July 2014; see Exhibit I) of many of the springs and sinks in or near the Withlacoochee River around the area Sabal Trail proposed to cross. One is pictured on the right here in Illustration 9.

Chris Mericle commissioned a hydrogeological study by Geologist David Brown, "Sabal Trail methane pipeline crossing of Withlacoochee River", 22 August 2014 (see Exhibit J) which includes numerous instances of sinkholes near the Withlacoochee River in Florida, and the illustrations in Exhibit J of further sinkholes as a possible consequence of drilling under that river.

The same kind of frac-out could occur under the Withlacoochee River in Georgia.

As a result of such evidence of environmental hazards from the proposed Sabal Trail pipeline, the Hamilton County Board of Commissioners passed RESOLUTION 2015-02 on 22 August 2014 asking Sabal Trail to move off of the Withlacoochee River in Florida. The Hamilton County Board of Commissioners also later filed "Motion to Intervene of Hamilton County, Florida Board of County Commissioners under CP15-17. ", FERC Accession Number 20141218-5333, 18 December 2014, https://elibrary.ferc.gov/idmws/file_list.asp?document_id=14282868.

Chris Mericle and Hamilton County resident Deanna Mericle (now a WWALS member) conducted a tour of the affected area with multiple personnel from Sabal Trail and FERC on 9 September 2014. Chris Mericle showed the springs and sinks video, "Our Holly Point Treasures", to the Sabal Trail and FERC representatives on that tour. At least one Sabal Trail representative said he had already watched it.

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CO17 – WWALS (cont'd)

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Chris Mericle reported to FERC 16 September 2014 about the Sabal Trail and FERC visit to the affected area in Hamilton County, Florida (Accession number 20140916-5019. Note Andrea Grover, Director of Stakeholder Outreach, Spectra Energy and Gus McLachlan, Environmental Manager, Sabal Trail, in the picture in Exhibit K that was taken at that visit.

In its next set of proposed route maps ("Sabal Trail Transmission, LLC submits its Response to August 26, 2014 Staff's Comments on Draft Resource Report under Docket No. PF14-1." FERC Accession number 20140915-5150, 15 September 2014), Sabal Trail moved off the Withlacoochee River in Florida. If this evidence was good enough for the Withlacoochee River in Florida, it should be good enough for the Withlacoochee River in Georgia, especially combined with the copious USGS, VSU, Valdosta, and Lowndes County evidence of sinkholes, underground caverns, and leaks into the Floridan Aquifer in Lowndes County, Georgia.

3.a.iv. Sinkholes at new Sabal Trail Suwannee River crossing

Moving Sabal Trail's proposed pipeline path off the Withlacoochee River in Florida did not solve the hydrogeology problems. Extensive documentation by USGS and SRWMD demonstrate widespread flow through connected underground caverns, some of which actually cross the Suwannee River and come up next to the Withlacoochee River. And this hydrogeology does not stop at the state line.

On 4 December 2014, SRWMD published (see Exhibit L) results of a dye test of 4 September 2014, in which colored dye was introduced into the Falmouth Cavern System far into Suwannee County on the south side of the Suwannee River, and some of the dye came up in Suwanacoochee Spring on the north side of the Suwannee River in Madison County on the Withlacoochee River, as shown in the map in Exhibit J.. This underground connection was

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CO17 – WWALS (cont'd)

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previously unknown. It illustrates the widespread extent and the little-mapped nature of the underground connections in this region of north Florida and south Georgia.

This dye test is directly relevant to the route across the Suwannee River that Sabal Trail now proposes to avoid the Withlacoochee River in Florida. On 29 January 2015, Thomas S. Edwards, manager of TSE Plantation, on the south side of the Suwannee River where Sabal Trail proposes to cross, filed with FERC ("Supplemental Information / Request of Edwards & Ragatz, P.A. under CP15-17. Supplemental Comments of Proposed Intervener. Thomas S. Edwards, Manager. TSE Plantation, LLC Opposing Portion of Sabal Trail Route and Related Motion to Accept Late Comments." FERC Accession number 20150129-5192, 29 January 2015), in which he detailed in maps and text sinkholes that Sabal Trail had not accounted for in its previous filings. Edwards is the private landowner referred to in the 1 April 2015 FERC filing noted above.

On 16 March 2015, Edwards filed again with FERC ("Edwards & Ragatz, P.A. Second Supplemental Comments of Proposed Intervener. Thomas S. Edwards, Jr., Manager, TSE Plantation, LLC Transmitting Environmental Study under CP15-17." FERC Accession number 20150316-5099, 16 March 2015), that time including a copy he annotated of a 29 August 1999 SRWMD report, "Baseline Inventory Report for the Warner-Harrell Conservation Easement Tract in Suwannee County, Florida", 29 August 1999, which reveals even more sinks and underground connections, known for more than a decade before Sabal Trail proposed its pipeline, yet not accounted for in Sabal Trail's filings.

Similarly in Georgia, the Shadrick Sink, the Cherry Creek Sink, the Snake Nation Road Sinkhole, and numerous other hydrogeological features of the Withlacoochee River basin and the Floridan Aquifer have not been adequately considered by Sabal Trail. It is the opinion of

WWALS that such hydrogeological features mean that any route of Sabal Trail's pipeline through this area would pose too much environmental risk.

4. Matters of law

Both federal precedent and Georgia law require any alleged need for a new pipeline to be great enough to counterbalance environmental hazards.

4.a. FERC precedent

According to FERC personnel working on the Sabal Trail project, FERC has only in recent memory denied two pipeline permits, one of which was for Turtle Bayou Gas Storage Company. That denial was largely for environmental reasons. FERC issued [ORDER DENYING APPLICATION FOR CERTIFICATE AUTHORIZATIONS](#) for Turtle Bayou, in FERC Docket No. CP10-481-000, 16 June 2011:

On August 9, 2010, Turtle Bayou Gas Storage Company, LLC (Turtle Bayou) filed an application in Docket No. CP10-481-000 under section 7(c) of the Natural Gas Act (NGA),¹ requesting a certificate of public convenience and necessity under Part 157, Subpart A, of the Commission's regulations² authorizing the construction and operation of a salt dome natural gas storage facility and associated pipeline facilities in Chambers and Liberty Counties, Texas. In addition, Turtle Bayou seeks a blanket certificate under Part 157, Subpart F, of the Commission's regulations to engage in certain eligible construction activities³ and a blanket certificate under Part 284, Subpart G, of the regulations to provide open-access transportation services, including storage service.⁴

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CO17 – WWALS (cont'd)

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Turtle Bayou also requests authority to charge market-based rates for its storage services, and accordingly seeks a waiver of certain filing, accounting, and reporting requirements. As discussed below, the Commission denies Turtle Bayou's application for the requested certificate authorizations.

Turtle Bayou appealed. FERC replied in Dockets CP10-481-002 and CP10-481-000, [ORDER DENYING REQUEST FOR REHEARING OR RECONSIDERATION \(Issued April 11, 2012\)](#):

The June 16 Order found that the proposed project was not required by the public convenience and necessity.⁴ As described in the Commission's policy statement on certification of new facilities,⁵ if a proposed project will cause adverse impacts, the project proponent must demonstrate a sufficient showing of need for the project to balance the adverse impacts.⁶ The owners of the oil, gas, and other minerals⁷ (including salt) in the salt formation where the proposed subsurface caverns would be located protested the application, asserting that Turtle Bayou had not obtained the necessary property and mineral rights for construction and operation of the proposed project. The Commission found that the potential use of eminent domain to acquire the necessary property rights would be a significant adverse impact on Mineral Interest Owners,⁸ and concluded that Turtle Bayou had not demonstrated a specific showing of need for its proposed storage facility in proportion to the identified adverse impact on Mineral Interest Owners.⁹

This pair of FERC Orders is one of only two cases FERC personnel assigned to the Sabal Trail dockets could find in which FERC ever denied any pipelines, so this issue of adverse impact on Mineral Interest Owners must be important.

If oil, gas, and other minerals under Turtle Bayou count that much, the [underground caverns](#) and [above-ground springs](#) of central Florida and south Georgia should count at least as much. And if a salt dome under that Texas bayou is enough of a hardship to deny eminent domain, drinking water in the [Floridan Aquifer](#) under south Georgia and all of Florida should be more than enough.

4.b. Georgia Law

O.C.G.A. 22-3-81 (1) defines “pipeline” as for “the transportation of petroleum or petroleum products in or through this state” but it does not define “petroleum products”. The U.S. Energy Information Agency (eia) defines natural gas as a petroleum product. See eia web page <http://www.eia.gov/tools/faqs/faq.cfm?id=34&t=6> accessed 11 April 2015:

How much oil is used to make plastic?

In the United States, plastics are not made from crude oil. They are manufactured from petroleum products, which include [liquid petroleum gases \(LPG\)](#) and [natural gas liquids \(NGL\)](#), and [natural gas](#).

The American Petroleum Institute (API) also says natural gas pipelines are for transporting petroleum products, in their web page Transporting Oil and Natural Gas, <http://www.api.org/oil-and-natural-gas-overview/transporting-oil-and-natural-gas>, accessed 11 April 2015:

Pipelines

The nation's more than 190,000 miles of liquid pipelines and over 300,000 miles of natural gas pipelines, which are the primary means of moving petroleum products to consumer markets. Pipelines are safe, efficient and, because most are buried, largely unseen.

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Therefore O.C.G.A. 22-3-84 applies to natural gas pipelines, and the language about natural gas pipelines in O.C.G.A. 22-3-88 further limits the applicability of eminent domain defined in previous sections from O.C.G.A. 22-3-80 onwards. Georgia law also requires need for any petroleum or natural gas pipeline to outweigh environmental hazards. See O.C.G.A. 22-3-84 (2010) refers to a requirement for a certificate of convenience and necessity from the Georgia Department of Transportation, and adds environmental requirements.

We quote O.C.G.A. 22-3-84 here in full, interspersed with specific applications to this case:

22-3-84. Permit from director of Environmental Protection Division of Department of Natural Resources; requirements and considerations; approval

(a): In addition to obtaining a certificate as required in Code Section 22-3-83, a pipeline company shall, prior to the exercise of the power of eminent domain, obtain a permit from the director of the Environmental Protection Division of the Department of Natural Resources as provided in this Code section.

(b) The Board of Natural Resources shall, pursuant to Chapter 13 of Title 50, the "Georgia Administrative Procedure Act," issue rules and regulations governing the obtaining of the permit provided for in subsection (a) of this Code section which shall include:

(1) Reasonable public notice to an owner of property who, after reasonable efforts, cannot personally be given the notice in subsection (a) of Code Section 22-3-82;

(2) Reasonable public notice of the filing of an application for a permit;

Where is the evidence of any such public notice of the filing of an application for a permit? WWALS is aware Sabal Trail has applied to GA EPD for an air quality permit for its proposed

CO17 – WWALS (cont'd)

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Albany Compressor Station, but where is the public notice for a GA EPD permit for the pipeline itself?

(3) Provisions for hearings on all applications for such permits; and

What public hearings have been held by GA EPD?

(4) A requirement that no such permit shall be granted by the division unless, prior to the construction of any portion of the petroleum pipeline project for which the use of the power of eminent domain may be required, the pipeline company has submitted the proposed siting of such portion of the pipeline project to the division with appropriate notices thereof to affected parties and unless the division director determines after a hearing that the location, construction, and maintenance of such portion of the pipeline is consistent with and not an undue hazard to the environment and natural resources of this state, determined in accordance with the factors set forth in subsection (c) of this Code section.

The evidence submitted in this brief demonstrates that Sabal Trail's proposed pipeline is not consistent with and is an undue hazard to the environment and natural resources of this state, and in any case there have been no hearings and not even any public notice of hearings by GA EPD on any such permit requested by Sabal Trail.

(c) In making the decision required by paragraph (4) of subsection (b) of this Code section, the director shall determine:

(1) Whether the proposed route of such portion of the pipeline is an environmentally reasonable route;

CO17 – WWALS (cont'd)

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The evidence submitted in this brief indicates no proposed route for Sabal Trail's pipeline through the Floridan Aquifer or under the Withlacoochee River would be an environmentally reasonable route, and in any case no public hearings have been held to determine that.

(2) Whether other corridors of public utilities already in existence may reasonably be used for the siting of such portion of the pipeline;

One existing pipeline does run through a route similar to that proposed by Sabal Trail: the much smaller pipeline owned by Southern Natural Gas (SONAT), and constructed in the 1950s. SONAT's pipeline is reported to be 9 or 10 inches in diameter along the route Sabal Trail would follow, so Sabal Trail's 36-inch pipeline would have roughly 13 to 16 times the area, and at higher pressure. Thus Sabal Trail would have much greater gas flow and much greater potential for leaks and explosions and much greater hazard if those should occur, along with the hazards of sinkholes leaking into the Floridan Aquifer.

SONAT has filed extensive comments against Sabal Trail; see "Comments to October 15, 2014, Notice of Intent to prepare an Environmental Impact Statement for the Planned Southeast Market Pipelines Project of Southern Natural Gas Company, L.L.C. under PF14-1," FERC Docket PF14-1, Accession number 20141113-5199, 13 November 2014. SONAT then filed as an intervenor against Sabal Trail ("Motion to Intervene and Comments of Southern Natural Gas Company, L.L.C. under CP15-17," FERC Accession number 20141216-5235, 16 December 2014), saying Sabal Trail proposes to cross SONAT's pipeline far too many times, and to do so by drilling under it using an inferior method, potentially causing instability of the existing pipeline. Sabal Trail's response ("Sabal Trail Transmission, LLC submits its response to comments filed by Southern Natural Gas Company, L.L.C. on March 26, 2015 under CP15-17," FERC Accession number 20150401-5669, 1 April 2015) did not address all of SONAT's stated

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concerns, specifically not Sabal Trail's drilling methods; instead it asked FERC to deny SONAT's request for a technical conference.

If Sabal Trail's drilling methods are inappropriate for drilling under a pipeline, they are even more inappropriate for drilling under the Withlacoochee River or above the Floridan Aquifer.

(3) The existence of any local zoning ordinances and that such portion of the project will comply with those ordinances unless to require such compliance would impose an unreasonable burden on the project as weighed against the purpose of such ordinances;

Multiple Georgia counties (Terrell, Dougherty, Colquitt, Brooks, and Lowndes) and two cities (Albany and Valdosta) have passed resolutions opposing Sabal Trail's pipeline. In addition, Lowndes County Chairman Bill Slaughter filed with FERC ("letter from Lowndes County Chairman Bill Slaughter", in FERC Docket PF14-1, Accession Number 20140411-5077, 11 April 2014), fourteen points of ordinances and permits Sabal Trail must get from Lowndes County or demonstrate it has gotten from Georgia state agencies. Where is Sabal Trail's evidence that it has complied with any of those ordinances or gotten any of those permits? Where is Sabal Trail's evidence that it has complied with local ordinances in other Georgia counties, or gotten appropriate permits from them? Without such evidence Sabal Trail has not satisfied O.C.G.A. 22-3-84(c)(3).

(4) That ample opportunity has been afforded for public comment, specifically including but not limited to comment by the governing body of any municipality or county within which the proposed project or any part thereof is to be located, and

Where is Sabal Trail's evidence of public comment to GA EPD about a pipeline permit by county or city governing bodies including but not limited to the cities of Valdosta, Quitman, Moultrie, and the counties of Lowndes, Brooks, and Colquitt?

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(5) Such reasonable conditions to the permit as will allow the monitoring of the effect of the petroleum pipeline upon the property subjected to eminent domain and the surrounding environment and natural resources.

Where is any evidence of GAEPD taking into account the public record of negligence, corrosion, leaks, and explosions by one of Sabal Trail's parent companies? Sabal Trail Transmission LLC is a joint venture of NextEra Energy of Juno Beach, Florida and Spectra Energy (Spectra) of Houston, Texas. Spectra has a long history of monitoring and safety violations, including for example a Final Notice of 12 December 2013 issued by the Pipeline and Hazardous Materials Safety Agency (PHMSA) to Spectra CEO Greg Ebel, with fines for five violations of federal regulations and Spectra's own company procedures. Spectra also received a record \$15 million EPA fine in 1989 for leaking PCBs at 89 pipeline sites, and an even larger \$18.6 million fine from Pennsylvania for some of the same PCB leaks, plus a \$200 million cleanup charge.

The National Transportation Safety Board (NTSB) instructed PHMSA to improve pipeline safety measures in "Safety Study: Integrity Management of Gas Transmission Pipelines in High Consequence Areas, [NTSB SS-15/01](#)", 27 January 2015, http://www.nts.gov/news/events/Documents/2015_Gas_Transmission_SS_BMG_Abstract.pdf.

NTSB said its motivation for the study was three recent explosions it reported: the [2009 Palm City, Florida flying pipeline that almost hit a high school \(see Exhibit M\)](#), the [2010 San Bruno, California PG&E Pipeline Rupture and Fire](#), and the [2012 Sissonville, West Virginia I-75 house destruction](#), about which [NTSB said](#):

These three accidents resulted in 8 fatalities, over 50 injuries, and 41 homes destroyed with many more damaged.

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Three of Sabal Trail's alternate routes would go directly across I-75 from Lowndes High School, much like the FGT pipeline situation pictured in Exhibit M from NTSB PAB-13-01 of 13 August 2013, about the Palm City, Florida incident.

That NTSB BAR-13-01 report identified \$606,360 in damages and clean-up costs. What if Sabal Trail's pipeline ruptured near a school, or caused a sinkhole into the aquifer?

NTSB reporting on PIIMSA's failures goes much further back. [Spectra's 1994 Durham Woods apartment fire in Edison, NJ](#) sent children screaming into the night and left hundreds homeless after major property destruction. Writing about that fire (NTSB, "RESPONSE TO PETITION FOR RECONSIDERATION", Re: Pipeline Accident Edison, New Jersey, March 23, 1994, NTSB Report: PAB-95/01, 18 May 2001), NTSB reconfirmed that Spectra's own contractors had damaged the subject Texas Eastern Transmission (TETCO) pipeline in 1986 and TETCO (now Spectra) had done nothing to repair it or to stop the corrosion that eventually caused the explosion eight years later.

NTSB reported ("Pipeline Accident Report: Texas Eastern Gas Pipeline Company Ruptures and Fires at Beaumont, Kentucky on April 27, 1985 and Lancaster, Kentucky on February 21, 1986," NTSB/PAR-87/01, 18 February 1987; see Exhibit N) that Spectra's [Texas Eastern 1985 Beaumont, Kentucky](#) explosion and fire killed 5, burned 3, and destroyed numerous houses and cars, and its 1986 Lancaster, Kentucky explosion and fire injured three people, two seriously, evacuated 77, and destroyed more buildings and cars, plus ripping 480 feet of pipe out of the ground. NTSB wrote in the same report:

"The probable cause of the pipeline accident near Lancaster, Kentucky, was the failure of the Texas Eastern Gas Pipeline Company to fully investigate the extent and severity of previously detected and inspected corrosion-caused damage and to replace the damaged

CO17 – WWALS (cont'd)

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segment of pipeline before its failure. Contributing to the accident was the lack of gas company guidelines for its personnel for further inspection and the shut down or reduction in line pressure upon detecting corrosion damage on its pipeline.”

Thirty years later the same pattern of negligence, corrosion, leaks, and explosions continues, as evidenced by the NTSB report on the 1994 explosion and the 2013 PITMSA Final Notice to Spectra CEO Greg Ebel, and NTSB’s 2015 report about the general problem, which says:

This study found that while PITMSA’s gas IM requirements have kept the rate of corrosion failures and material failures of pipe or welds low, there is no evidence that the overall occurrence of gas transmission pipeline incidents in HCA pipelines has declined. This study identified areas where improvements can be made to further enhance the safety of gas transmission pipelines in HCAs.

If the rate of occurrence of pipeline incidents has not declined, then we should expect more fatalities, injuries, and property damage.

It is not clear that the pipeline company would pay for any of those adverse effects. Sabal Trail Transmission LLC is the company signing the contracts, but it does not possess the assets of its parent corporations.

One of Sabal Trail’s parent corporations, Spectra Energy, Inc., files every year in its Security and Exchange Commission Form 10-K this disclaimer:

“We do not maintain insurance coverage against all of these risks and losses, and any insurance coverage we might maintain may not fully cover the damages caused by those risks and losses.”

Who, then, would cover the damages caused by those risks and losses? Unless, like Pennsylvania did, the state of Georgia is willing to spend years suing a pipeline company, the

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costs will be borne by the local landowners and taxpayers of local cities, counties, and the state of Georgia.

Where is the GA-EPD permit with conditions to require adequate monitoring of a huge new pipeline in the face of the longstanding and unimproved record of this pipeline company and its industry of corrosion, leaks, spills, and explosions, without adequate insurance coverage?

Finally, the end of O.C.G.A. 22-3-84:

(d) In the event an application under this Code section is not approved or denied within 120 days of the date of the publication of notice required in paragraph (2) of subsection (b) of this Code section, the application shall be deemed to be approved by operation of law.

Where is Sabal Trail's evidence that it has applied for a "Permit from director of Environmental Protection Division of Department of Natural Resources", much less been granted such a permit?

4.c. Summary

As the City of Valdosta's Water Treatment web page says about the Floridan Aquifer, backed up by extensive scientific and historical evidence:

This is an aquifer that has cracks, underground solution channels, and caverns. These cracks can provide a route to allow contaminants to enter the aquifer, move about in the aquifer and alter the water supply and can cause special challenges for the City's water system.

The fragility of the karst limestone aquifer containment has already caused Valdosta to sink its water wells twice as deep and Lowndes County to spend upwards of \$300,000 dealing with a

CO17 – WWALS (cont'd)

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sinkhole under a road. Such adverse environmental consequences are a matter of statewide concern, especially near the Withlacoochee River, under which Sabal Trail proposes to bore for its 36-inch pipeline using unknown fluids that could easily leak down the extra 12-inch width borehole or cause a sinkhole, either way leaking into the Floridan Aquifer, potentially contaminating water wells, and potentially causing other sinkholes with further property damage, plus the possibility of the pipeline breaking due to sinkholes.

Sabal Trail has not met FERC's standard for a federal pipeline permit, to balance any alleged need for a new pipeline against adverse environmental consequences.

Sabal Trail has not met the Georgia code standard to avoid "undue hazard to the environment and natural resources of this state" required in O.C.G.A. 22-3-84 for a permit from GA EPD before any exercise of Georgia eminent domain by a pipeline company. Sabal Trail has not provided any evidence that hearings for such a permit have been held or have even been announced. In this brief WWALS has provided copious evidence that Sabal Trail's proposed pipeline would indeed be "an undue hazard to the environment and natural resources of this state." Thus Sabal Trail should not ever be able to meet the requirements of O.C.G.A. 22-3-84, and certainly has not yet done so.

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5. CONCLUSION

For the reasons stated above, Amicus respectfully requests the court to rule against any Georgia eminent domain authority for Sabal Trail.

Dated: 13 April 2015

Respectfully submitted,

John S. Quarterman
Pro Se
President
WWALS Watershed Coalition, Inc.
3338 Country Club Road #L336
Valdosta, Georgia 31605
229-242-0102
wwalswatershed@gmail.com

To: Judge Rucker Smith c/o Cindy Clark, Civil Deputy Clerk

County Courthouse, 100 Leslie Highway, Leesburg, Georgia 31763

Copies to:

Attorney for the Bells, Jonathan P. Waters,

2476 Vinville Ave, Macon, Georgia 31204

Attorney for Sabal Trail: Matthew J. Calvert,

Hunton & Williams LLP, Suite 4100, 600 Peachtree Street, N.E., Atlanta, Georgia 30308-2216

WWALS is an advocacy organization working for watershed conservation
of the Willacoochee, Withlacoochee, Apopka, and Little River Systems watershed
in south Georgia and north Florida
through awareness, environmental monitoring, and citizen advocacy.

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The attachments to this letter are available for view on the FERC's eLibrary site using accession number 20151026-5439.

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COMPANIES AND ORGANIZATIONS

CO18 – WWALS

WWALS Watershed Coalition, Inc., a WATERKEEPER® Affiliate and 501(c)(3), PO Box 88, Hahira, GA 31632



October 26, 2015

Norman C. Bay, Chairman
Tony Clark, Commissioner
Cheryl A. LaFleur, Commissioner
Phillip D. Moeller, Commissioner
Colette D. Honorable, Commissioner
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: Sabal Trail Transmission, LLC
FERC Docket No. CP15-17-000

Dear Commissioners:

CO18-1

Please find attached a letter from WWALS to the U.S. Army Corps of Engineers asking for an extension of their comment deadline regarding Sabal Trail, or a public hearing. The Corps since did extend their deadline until December 11, 2015. That thus becomes another reason not to finalize the Draft Environmental Impact Statement in addition to the ones stated in the letter to the Corps. Meanwhile, the Georgia Environmental Protection Division has scheduled a public comment period and a public hearing about the Draft Air Quality Permit for the Albany compressor station, and the legal process in WWALS v. Sabal Trail & Florida DEP is still not concluded.

WWALS Watershed Coalition, Inc. respectfully requests FERC delay any finalization of the DEIS, and respectfully demands FERC deny Sabal Trail's application for a Certificate of Convenience and Necessity.

Sincerely,
/s/
John S. Quarterman
President
229-242-0102

WWALS Watershed Coalition advocates for conservation and stewardship of the Withlacoochee, Willacoochee, Alapaha, Little, and Upper Suwannee River watersheds in south Georgia and north Florida through awareness, environmental monitoring, and citizen activities.



www.wwals.net

WWALS USACE letter to FERC cover page 1 of 1

wwalswatershed@gmail.com

CO18-1 Comment noted.

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CO18 – WWALS (cont'd)



WWALS Watershed Coalition, Inc.
a WATERKEEPER® Affiliate
a 501(c)(3) nonprofit corporation
PO Box 88, Hahira, GA 31632
wwalswatershed@gmail.com
www.wwals.net

To:

Georgia: Commander, U.S.A.C.E.,
Savannah District
Attention: Mr. Terry C. Kobs
1104 N. Westover Boulevard, Unit 9
Albany, Georgia 31707

Florida: U.S.A.C.E.,
Jacksonville District Reg. Div.
Jacksonville Permits Section
Attn: Mr. Mark R. Evans
Post Office Box 4970
Jacksonville, Florida 32232

Alabama: U.S.A.C.E.
Mobile District Reg. Div.
Montgomery Field Office
Attn: Mr. James S. Cherry II
605 Maple Street
Building 1429 Room 105
Maxwell AFB, Alabama 36112-6017

Cc: Georgia Department of Natural Resources
Environmental Protection Division
Watershed Protection Branch
Attention: James A. (Jac) Capp - Branch Chief
2 Martin Luther King, Jr. Drive
Atlanta, Georgia 30334
404-463-4911

Re: Application Numbers: SAS-2013-00942 in Georgia, SAJ-2013-03030 in Florida, in Alabama
Applicant: Mr. George McLachlan, Sabal Trail Transmission, LLC

Dear U.S. Army Corps of Engineers and Georgia DNR EPD Watershed Protection Branch,

WWALS Watershed Coalition, Inc. respectfully requests you deny any permit for the Sabal Trail natural gas pipeline project, or at least hold one or more (U.S.A.C.E. or state) public hearings. Your public notices of September 11, 2015 say:

"The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments."

There is no public benefit for Georgia, and little for Florida, since solar power can provide the same amount of power as this pipeline, more quickly, less expensively, and with far less destruction and hazard to our wetlands, waterways, and aquifer.

WWALS Watershed Coalition advocates for conservation and stewardship of the Withlacoochee, Willacoochee, Alapaha, Little, and Upper Suwannee River watersheds in south Georgia and north Florida through awareness, environmental monitoring, and citizen activities.

www.wwals.net

WWALS to USACE & GA-EDP Page 1 of 5

wwalswatershed@gmail.com

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CO18 – WWALS (cont'd)

WWALS as the Waterkeeper® Affiliate for Okapilco Creek, the Withlacoochee River, the upper Suwannee River, and all their watersheds, objects to the Sabal Trail pipeline crossing or discharging waste water or solid materials into any of our waterways, wetlands, or fragile karst limestone that encloses the Floridan Aquifer on which we all depend for water for drinking, agriculture, wildlife, and industry.

Specific reasons for this objection and call for public hearings include:

- The public notice from the Alabama U.S.A.C.E. office admits the Corps is not ready to consider a permit:
"The USACE has not verified the adequacy of the applicant's avoidance and minimization statement at this time."
"The USACE has not verified the adequacy of the applicant's proposed off-site mitigation plan at this time."
- The public notice from the Jacksonville, Florida U.S.A.C.E. office also admits as much:
"This information has not been specifically verified or evaluated to ensure compliance with laws and regulation governing the regulatory program."
- The fragile nature of the karst limestone underlying all of south Georgia and Florida. See:
 - "The Suwannee River Basin Pilot Study: Issues for Watershed Management in Florida," by Brian G. Katz, U.S. Geological Survey, Rodney S. Dellan, Florida Department of Environmental Protection, U.S. Geological Survey, Fact Sheet FS-080-96, 19 December 1996, which reads in part: *"Unique problems can arise in protecting water quality in karst areas because of the direct and rapid transport of recharge through conduits to the subsurface and through resurgence by springs. In some areas, recharge from unknown drainage pathways to areas of discharge may contribute to chemical and biological contamination of watersheds. Such contamination in karst areas has been documented by many studies."*
 - "Sustainability of Ground-Water Resources," by W.M. Alley, T.E. Reilly, and O.L. Franke, U.S. Geological Survey Circular 1186, 11 January 2013, especially "The Connection Between Surface-Water Quality and Ground-Water Quality in a Karst Aquifer", which reads in part: *"The Upper Floridan aquifer, which is the sole source of water supply for Valdosta, Georgia, and much of the surrounding area, receives large volumes of direct discharge from the Withlacoochee River through sinkholes in the streambed or off-channel. A highly interconnected conduit system has developed in the Upper Floridan aquifer in this area, which extends at least 15 miles from the sinkhole area."*
 - 18 April 2014 FERC filing (Accession Number 20140418-5169) by Ann Shortelle, then Executive Director, Suwannee River Water Management District showing the proposed Sabal Trail route going through the Florida Springs Protection Area and asking "...we do recommend that the proposed pipeline route be modified to avoid highly sensitive water resource features, karst topography, and unconfined drinking water sources (Floridan Aquifer) within the District."
 - 18 April 2014 FERC filing (Accession Number 20140418-5237) by the Florida Department of Environmental Protection, including a letter of 27 March 2014 through Jon Arthur, Florida State Geologist showing Sabal Trail's proposed path through north Florida would go through the most vulnerable region of the Floridan Aquifer. http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20140418-5237
 - "Hydrogeology Report: Sabal Trail methane pipeline crossing of Withlacoochee River", by David Brown, 22 August 2014. Included in "RESOLUTION 2015-02," Hamilton County, Florida Board of Commissioners, 22 August 2014. Both report and resolution included in "Motion to intervene and request for extension of filing deadline, by WWALS Watershed Coalition, Inc. under CP15-17." FERC Accession Number 20141216-5051, 16 December 2014, https://elibrary.ferc.gov/idmws/file_list.asp?document_id=14280938.
 - Suwannee River Water Management District, " Falmouth dye trace reveals unknown connectivity", Press Release, 4 December 2014, <http://www.srwmd.state.fl.us/DocumentCenter/View/10522>. That dye test demonstrated contaminants in underground water migrate miles underground, including under rivers.

CO18 – WWALS (cont'd)

- "Water Treatment", web page, <http://www.valdostacity.com/Index.aspx?page=138>, City of Valdosta,, date accessed: October 9, 2015, especially *"Where Does Your Water Come From"*, which reads in part: *"The Floridan Aquifer in the area of Valdosta and Lowndes County is known as a karst aquifer. This is an aquifer that has cracks, underground solution channels, and caverns. These cracks can provide a route to allow contaminants to enter the aquifer, move about in the aquifer and alter the water supply and can cause special challenges for the City's water system."*
- Another pipeline company, Southern Natural Gas Company (SONAT), says Sabal Trail would cross its existing (and much smaller) SONAT pipeline too many times and proposes unsafe drilling methods, so we have no reason to trust Sabal Trail either for drilling through land or for drilling under our streams. See FERC 24 July 2015 Accession Number: 20150724-5162, "Renewed Request for Technical Conference of Southern Natural Gas Company, L.L.C. under CP15-17."
- Seven county commissions and three city councils along the pipeline path have passed resolutions against it.
- U.S. Rep Sanford Bishop has asked for FERC to deny a permit for Sabal Trail.
- More than a thousand comments in opposition have been received by FERC on its Docket CP15-17 for Sabal Trail.
- The hearing upcoming in 19-22 October 2015, 207 NE First Street Jasper, Florida 32052 about unresolved issues: see Florida Department of Administrative Hearings Case No. 15-4975

On September 15, 2015 WWALS co-signed a request to U.S.A.C.E. for a 60-day extension of the comment period. Please find enclosed a copy of the response of September 25, 2015 from the U.S.A.C.E Jacksonville District denying that request.

Now WWALS calls on U.S.A.C.E. to deny the proposed permits or at the very least to hold a public hearing to address the above and many other issues.

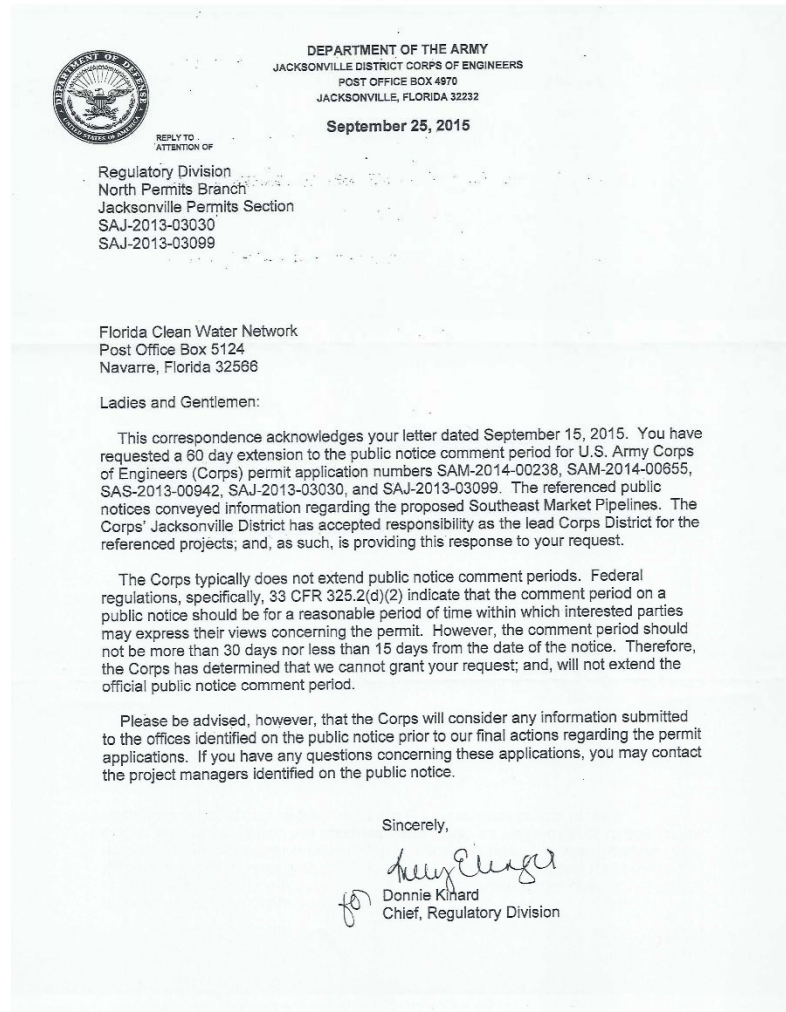
Sincerely,

[/s]

John S. Quarterman

President

Enclosed: copy of U.S.A.C.E. Jacksonville response of September 15, 2015.



CO18 – WWALS (cont'd)

-2-

Copy Mailed To:

Gulf Restoration Network
Post Office Box 2245
New Orleans, Louisiana 70176

GreenLaw
104 Marietta Street NW, Suite 430
Atlanta, Georgia 30303

✓ WWALS Watershed Coalition
Post Office Box 88
Hahira, Georgia 31632

O-229

Company and Organization Comments

COMPANIES AND ORGANIZATIONS

CO19 – Spectrabusters, Inc.

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Spectrabusters, Inc.
Debra Johnson – Board Member

To: John Peconom – Project Manager, Environmental Biologist at FERC

CO19-1 Spectrabusters, Inc. would like to respectfully request that FERC defer any decisions concerning the DEIS for the Sabal Trail pipeline project, Docket # CP-17-000, based on the fact that all necessary information to determine the validity of the DEIS/EIS is incomplete as final submissions from other governmental agencies, pending court rulings and Sabal Trail have not been submitted.

Please refer to the ongoing actions below that would impact the DEIS.

- The Army Corps of Engineers has not completed their public comment period and has extended their comment period to December 11, 2015. Thus results are not complete.
- There is a pending air quality hearing for the compressor station in Albany, Georgia.
- There is a pending decision in Florida by an Administrative Judge, Case No. 15-4975, concerning the validity of the decision to bore under the Suwannee River. WWALS vs. Sabal Trail and FLA DEP.
- Comments recently submitted to FERC in the past few days from Senators, State Legislators, local governments have not had time to be considered.
- An error in the DEIS concerning Sabal Trail's submission on the pipeline route shows alarming errors – please refer to comment from Christopher Mericle # 20151026-5043 – excerpt is here:

“On September 30, 2015 Sabal Trail filed with FERC “Comments on the Southeast Market Pipelines Project” Accession number 20150930-5037. Within this filing there is “Table 6.5-1 Karst features within .25 miles of the pipeline”. This table apparently identifies all Karst features within .25 miles of the pipeline for the entire route. The filing of this information is well after the release of the DEIS. How can a complete evaluation be performed with the information included within the table 6.5-1 omitted from the review process. Furthermore, after careful review I determined that the table 6.5-1 is referring to the abandoned route across the Withlacoochee River, not the current proposed route, an 11 mile reroute under the Suwannee River and State Park.”

CO19-2 Based on these and additional pending hearings, ruling by agencies and courts, Spectrabusters, Inc. requests that any final decision based on the incomplete DEIS be deferred. We also wish to request, based on above findings, that FERC extend the public comment period on the pending Sabal Trail DEIS.

Spectrabusters, Inc.'s final stance on the Sabal Trail pipeline is that this pipeline should be denied based on the lack of need or necessity for the public and the valid concerns for human health and safety as well as the dangers to our environment and water supply in Alabama, Georgia and Florida.

Sincerely,

Debra Johnson
SpectraBusters Board Member

CO19-1 Comment noted.

CO19-2 Staff believes the 45-day public comment period provided to comment on the draft EIS was sufficient, and all timely and substantive environmental comments have been considered in our analysis. Should the Commission authorize the SMP Project, such authorization would be contingent upon the Applicants receiving all required federal permits and approvals. Minor errors in the draft EIS have been rectified and did not affect our analysis. Under the NGA and EPAct, the Commission has federal authority to authorize interstate natural gas transmission facilities, including pipeline routing and construction methods, if it finds the proposal to be in the public convenience and necessity.

CO20 – Melentree Properties

CO20-1

I am hopeful that you will approve Sabal Trail Transmission's tri-state natural gas pipeline project application filed with the Federal Regulatory Commission as Docket Number CP15-17-000.

Natural gas pipelines use many tools to monitor and control safety, making them one of the safest forms of energy transportation. Because natural gas is lighter than air, the escape of natural gas from the pipeline is highly unlikely. Due to their small size and low carbon content, natural gas systems leave a small carbon footprint and are recognized as one of the cleanest energy sources available.

If there is a more environmentally and economically responsible way to bring energy to Florida, I have not heard of it. Please approve this project and help bring Florida's energy infrastructure up to speed with its demand.

Comment noted.

COMPANIES AND ORGANIZATIONS

CO21 – WWALS

20151026-5450 FERC PDF (Unofficial) 10/26/2015 4:13:04 PM

WWALS Watershed Coalition, Inc., a WATERKEEPER® Affiliate and 501(c)(3), PO Box 88, Hahira, GA 31632



October 26, 2015

Norman C. Bay, Chairman
Tony Clark, Commissioner
Cheryl A. LaFleur, Commissioner
Phillip D. Moeller, Commissioner
Colette D. Honorable, Commissioner
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: Sabal Trail Transmission, LLC
FERC Docket No. CP15-17-000

Dear Commissioners:

CO21-1

Please find attached the Re-Amended Petition that is the basis for the still in-process legal proceeding, WWALS Watershed Coalition, Inc. v. Sabal Trail Transmission, LLC and [Florida] Department of Environmental Protection. While the hearing has been conducted, this legal process continues, and thus the Florida review of the proposed Environmental Resource Permit and Easement to Use Sovereign Submerged Lands is not finished. Neither the Permit nor the Easement can be issued until this process is concluded. Therefore the FERC Draft Environmental Impact Statement also cannot be complete. Furthermore, as the Re-Amended Petition notes, if Sabal Trail damages the fragile karst limestone containing our Suwannee River and its tributaries and the Floridan Aquifer, source of most of our water for drinking, agriculture, and industry, such damage cannot be remediated. We do not accept that risk.

WWALS Watershed Coalition, Inc. respectfully requests FERC delay any finalization of the DEIS, and respectfully demands FERC deny Sabal Trail's application for a Certificate of Convenience and Necessity.

Sincerely,
[S]
John S. Quarterman
President
229-242-0102

WWALS Watershed Coalition advocates for conservation and stewardship of the Withlacoochee, Willacoochee, Alapaha, Little, and Upper Suwannee River watersheds in south Georgia and north Florida through awareness, environmental monitoring, and citizen activities.



www.wwals.net

WWALS Re-Amended Petition to FERC cover page 1 of 1

wwalswatershed@gmail.com

CO21-1 Comment noted.

O-232

COMPANIES AND ORGANIZATIONS

CO22 – TSE Plantation, LLC/Thomas S. Edwards, Jr.

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Sabal Trail Transmission, LLC

Docket No. CP15-17-000

**INTERVENER, TSE PLANTATION, LLC/THOMAS S. EDWARDS, JR.'S
COMMENTS
REGARDING SABAL'S PROPOSED
ENVIRONMENTAL IMPACT STATEMENT**

COME NOW, TSE Plantation, LLC and its President, Thomas S. Edwards, Jr., Esquire, and provide these comments and observations regarding Sabal Trail's Proposed Environmental Impact Statement.

PARTIES INTEREST

The undersigned owns the land immediately adjacent to the proposed Suwannee River HDD crossing at Sabal Trail MP267.3A and 267.4A. The pipeline company proposes to engage in directional drilling from property on the Suwannee River State Park beginning at approximately MP266.3A through MP267.5A where the pipeline will return to surface level in a field on Echo River Plantation a/k/a TSE Plantation, LLC. The pipeline remains on my property through MP268.1A. See Exhibit "A" four maps supplied by Sabal Trail's Environmental Impact Statement. In the immediate vicinity of this proposed crossing, there are numerous major springs, numerous minor springs, extensive karst terrain, open karst windows, actively flowing water conduits, there are identified fracture traces at this exact crossing and there are numerous sinks and subsidences in the immediate vicinity of this crossing.

PREFACE

The undersigned has no extensive knowledge regarding what has happened on other sites; however, the undersigned caught Sabal Trail misrepresenting and/or omitting information submitted to FERC and the Florida DEP on numerous occasions. Sabal Trail disregarded, ignored or covered up important

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CO22 – TSE Plantation, LLC/Thomas S. Edwards, Jr. (cont'd)

environmental information as a means of obtaining pipeline permitting. Examples are as follows:

- CO22-1 | 1. Sabal Trails' original filing regarding this HDD crossing omitted any reference to seven (7) major springs in this area. The undersigned objected in filings with FERC and Sabal Trail was required by FERC to go back and re-do parts of their environmental analysis submissions. They now concede that there are 7 known springs (including multiple major springs) in the immediate vicinity. However, as discussed below, Sabal's Response filed in reference to "Edwards Comments" (See Exhibit "B") fails to identify significant additional issues related to these springs, water conduits and risks to the immediate area;
- CO22-2 | 2. The undersigned repeatedly offered to show Sabal Trail karst formations, open karst windows and actively flowing springs, as well as subsidences and collapsed earth in the immediate vicinity of the proposed pipeline and Sabal Trails' employees refused those offers and have now made filings claiming that there is no meaningful karst formation within a quarter mile of the pipeline. It is easy to make those claims when you close your eyes and cover your ears; and
- CO22-3 | 3. Similar conduct occurred as it relates to biological issues. The undersigned expressly informed Sabal Trail that gopher tortoise burrows and gopher tortoises have been seen on the exact track of the pipeline, kestrels have been seen and photographed in this area, and Sherman's fox squirrels have likewise been seen in this area. In response to this, Sabal filed a report with FERC and with the Florida DEP claiming that this terrain was consistent with those three (3) species but there were "no known species in the area". Sabal's personnel had to literally walk on top of gopher tortoise burrow holes when they were on the undersigned's property and declined to ever take any advice about the fact that active gopher tortoise burrows were on the exact pipeline path. Again, Sabal was ordered to go back and perform their assessment over and the undersigned arranged for a Florida Wildlife Commission employee to follow behind them. Lo and behold, Sabal found 7 active gopher tortoise burrows on the pipeline path (and other inactive burrows) on the exact pipeline path.
- CO22-4 | These are merely examples of the gamesmanship that Sabal is engaging in. Thus, FERC and the Florida DEP should look at anything Sabal submits with a very jaundiced eye. Further, there are Indian artifacts that have been found on the pipeline path site and the original report indicated that there were sufficient Indian artifacts on the pipeline pathway that it would likely qualify for national historic

- CO22-1 | Comment noted. See the response to comment FA2-27 and sections 3.1.2.3 and 3.3.1 of the EIS which adequately characterize geologic and hydrogeologic setting in the project area. Section 3.3.1.5 specifically addresses springs and springsheds that occur in the project area and figure 3.3.1-3 depicts mapped springs, caves, and fracture traces at the proposed HDD crossing of the Suwannee River.
- CO22-2 | Comment noted. See response to comment CO22-1.
- CO22-3 | Comment noted.
- CO22-4 | Sabal Trail is conducting cultural resources studies according to the state and federal guidelines and in consultation with the Florida Division of Historical Resources (FDHR). In their July 2015 Phase I survey report, Sabal Trail recommended that site 8SU501, was potentially eligible for listing on the National Register of Historic Places (NRHP) and required additional testing to make an eligibility determination. In an August 19, 2015 letter, the FDHR concurred. Sabal Trail conducted Phase II testing at the site, and recommended that site 8SU501 does not meet the eligibility criteria for listing on the NRHP. The Phase II report is currently under review by the FDHR. If the project is authorized, recommendation #23 in section 5 would prevent the Applicants from beginning construction until all final cultural resource reports and mitigation plans have been reviewed and approved by the FERC staff.

O-234

CO22 – TSE Plantation, LLC/Thomas S. Edwards, Jr. (cont'd)

CO22-4
cont'd registry. Ironically, Sabal sent personnel back out who then did more digs - deeper and over a larger area - on the same pathway and they claim to have found less material. That is impossible. It is suspected that like the gopher tortoises and the karst terrain Sabal and its personnel are simply closing their eyes, covering their ears and pretending things are not there.

KARST TERRAIN

CO22-5 Sabal originally proposed to cross the Withlacoochee and not the Suwannee River. Sabal moved from the Withlacoochee route primarily because of extensive karst terrain and objections of numerous entities and residents. The pipeline path currently chosen encompasses more karst terrain, greater jeopardy to the karst, aquifer and the area and Sabal's Response to Edwards' Comments (Exhibit "B") fails to address major issues herein.

Sabal's submission acknowledges that there is a "medium risk"¹ of damage to the karst terrain in the area through the directional drilling of the Suwannee River crossing. See Exhibit "C" - pg. 24 of 31 of Sabal's Karst Mitigation Plan – Appendix F - Vol. II EIS. This "medium" risk to this area does not consider the fact that there are numerous items of karst terrain including open flowing springs, collapsing sinkholes and subsidences immediately adjacent to the area where Sabal proposes the directional drilling of the pipeline under the Suwannee River. This was not considered because Sabal ignored my offers to show it to them (when someone refuses to look or listen it is easy to say nothing was seen). Much of the terrain at issue is under heavy tree cover which has been protected by conservation easement with SRWMD since the 1990s. Further, there are identified fracture traces in area (see Exhibit A maps) exactly where the crossing is proposed. This means it is probable there are large water conduits under the area where the crossing is proposed. **Sabal's own EIS states as follows:**

"These features, along with the sub-tropical, humid rainfall conditions in the region, result in a verdant ecosystem that is unique in the United States and a drainage system that manifests as large capacity springs, sinking streams, and submerged cave systems, particularly within the west-central part of the Florida peninsula. Of the various karst features, sinkholes are of particular concern because they can cause property damage or injure persons in the affected area, and can provide an avenue for surface-based pollutants to

¹ Sabal defines "medium risk" as "In a medium risk setting, historical occurrences of sinkholes are well documented in the area and conditions that favor sinkhole development are believed to be present." P. 3-8 Vol. I Sabal EIS -

CO22-5

See the response to comment CO22-1. The EIS acknowledges the importance of the Floridan Aquifer and associated springs and notes many of the features referenced by the commentor. As explained in the response to comment FA2-27, we disagree that construction and operation of the Sabal Trail Project would pose a significant risk to groundwater, surface water, and springs and conclude that construction and operation of the project in accordance with Sabal Trail's project-specific plans and our additional recommendations would adequately minimize the potential for the project to initiate or be damaged by karst conditions.

CO22-5
cont'd

quickly enter groundwater and surface water resources. Sinkholes can also contribute to flooding if their natural drainage capacity becomes impeded See Vol. I – Sabal EIS pg. 3-4

“Impacts and Mitigation

The primary geologic impact that could affect the proposed pipeline and aboveground facilities in karst sensitive areas is the sudden development of a sinkhole that damages the facilities and poses a safety risk. Other subsidence features could develop gradually over time, but would not pose an immediate risk to the proposed facilities. As discussed below, karst features could be initiated by the physical disturbance associated with trenching, grading, or HDD activity; or by diverting or discharging project related water into otherwise stable karst features. The potential for the Sabal Trail Project or the FSC Project to impact caves, wells, and springs relate primarily to groundwater resources and are discussed in section 3.3.” Vol. I – Sabal EIS pg. 3- 10

NOTE SECTION 3.3 OF THE EIS DISCUSSES HOW IMPORTANT THE KARST SYSTEM IS TO AQUIFER RESOURCES

“Avoidance was used as the primary mitigation measure during the planning and selection of the proposed alignment”. See Vol. II – Appendix F - Sabal EIS pg. 3.

“Areas of karst activity pose increased risks to the successful installation of pipelines by HDD. While the risk of impacts to the environment or a failed installation may be increased in karst areas” See Vol. II – Appendix F - Sabal EIS pg. 4

“The general risks associated with HDD construction methods in karst areas include difficulties arising from very loose unstable soils and open voids along the drill path.

More specifically, these risks include:

- ☐ Loss of drilling fluid into open conduits and inadvertent drilling fluid returns leading to turbidity in nearby wells, springs, and rivers.
- ☐ Ground subsidence and possible sinkhole formation due to excavating zones of loose unstable soils.

CO22-5
cont'd

□ **Stuck drill tooling and the possibility of the carrier pipe becoming stuck in loose unstable zones during pullback.” See Vol. II – Appendix F - Sabal EIS pg. 5**

Sabal cannot avoid or mitigate what it chose to close its eyes to. Following Sabal’s own statements, there should be no directional drilling in this area. By ignoring extensive additional karst terrain which the undersigned offered to show Sabal, and which has not been considered before finding that there is a medium risk to doing damage to the area, Sabal has failed to properly assess the risk. The additional karst terrain elevates this risk from medium to high. Sabal’s Response, attached as Exhibit “B”, only addresses whether drilling mud and other items can flow into the aquifer and do damage to local wells. What it does not address is the risk of pipeline and/or drilling failure, collapsing surrounding karst terrain, and it fails to address the fact that Sabal’s own karst reports state that the best way to avoid damage to the aquifer and the terrain in this area is through avoidance of areas with large springs. If this drilling sets off collapse of surrounding karst terrain and ruins the aquifer – who will answer for it?

The Florida DEP website and the Suwannee River Water Management District websites each have educational materials regarding springs. These two sites make clear, Florida has more springs per land area than anywhere in the world. According to Sabal’s EIS “Florida has 33 of 77 1st magnitude fresh water springs in the United States”. See Vol. I Sabal EIS p. 3-33.

There are 2 magnitude 1 springs in the immediate vicinity of the pipeline route (Falmouth and Lime Run Spring); there are 3 magnitude 2 springs in the immediate vicinity of the pipeline route (Stevenson/Lineater Spring, Lime Spring and Swannachocie Spring) - Stevenson/Lineater is almost a magnitude 1 spring and is on my property surrounded by other smaller springs and open karst windows. There are numerous other springs in the immediate area. Open spring tunnels (See Vol. I Sabal EIS p. 3-35 for one just example of the documented tunnel systems associated with a spring in this area) and caverns have been documented throughout this area and the fracture traces on the pipeline route document probable open water tunnels. It is notable that Sabal did not supply tunnel charts available for the other systems – some of which were previously supplied by the undersigned.

This area of Florida is the richest area of springs in the state – bar none. Many of the springs are uncharted and the entire wooded area on Echo River

CO22 – TSE Plantation, LLC/Thomas S. Edwards, Jr. (cont'd)

Plantation is dotted with springs, above ground spring flows that then re-enter the ground, sinkholes and open karst terrain.

CO22-6 Sabal's own Environmental Impact Statement says that they should stay away from this area because of large conduits of water that flow between these various springs. The spring immediately north of this crossing known as Stevenson/Lineator Spring is a magnitude 2 spring only three percent (3%) below a magnitude 1 spring. There are numerous other springs dotting the terrain immediately north of the pipeline crossing. Immediately south of the pipeline crossing are multiple magnitude 1 springs and numerous other smaller springs. The Falmouth cave system and spring system is south of the pipeline crossing. There are two other magnitude 1 springs approximately 1-1 ½ miles south of the crossing. The National Speleological Society has shown that all of these springs, up through Stevenson/Lineator Spring on the undersigned's property are inner connected by very large water conduits. Most of these conduits are large enough to support caverns and cave divers swimming through them. The fracture traces shown at this exact location of this crossing shows that some of those conduits are there. The fact that there are open flowing springs between a quarter and a half mile from the pipeline crossing (which Sabal employees refused to come look at) show that there is a significant risk of collapse, destruction of the aquifer, destruction of environmentally significant karst terrain, and destruction of water quality for wells throughout the area.

Sabal failed to address any of the issues other than the fact that the drilling mud would flow down stream. They failed to address collapse of the surrounding area (which they acknowledge as a medium risk without knowing what is there and while refusing to come and look at what is actually there).

CONCLUSION

Sabal has shown a pattern of providing inaccurate information due to closing their eyes and shutting their ears to important environmental and ecological information. They did this in regard to gopher tortoises, kestrels, Sherman's fox squirrels, and they have been caught red-handed doing it regarding springs in the immediately vicinity. Numerous other entities have proposed other paths for this pipeline which would avoid this extraordinarily sensitive karst terrain. The Suwannee River Water Management and the Florida Geologic Survey both objected to Sabal going through extensive karst terrain in this area. They did so because of the significant risk to an environmentally sensitive area that will never be repairable if Sabal screws up.

CO22-6

See the responses to comments CO22-1 and CO22-5. The EIS specifically identifies Stevenson/Lineator Spring and the Falmouth cave system noted by the commentor, and acknowledges the high degree of hydrogeologic connectivity in highly developed karst conditions.

CO22 – TSE Plantation, LLC/Thomas S. Edwards, Jr. (cont'd)

If this pipeline is essential to supply the South Florida area of the state, then Sabal should be required to go to the expense of taking a safe route without jeopardizing the aquifer for our entire state. The EPA has indicated that this pipeline is not needed and there is a real question over whether or not it is needed. Regardless, if it is needed, there are alternative, safe routes available to Sabal which do not encompass the significant environmental risks outlined herein.

Respectfully submitted October 26th 2015.

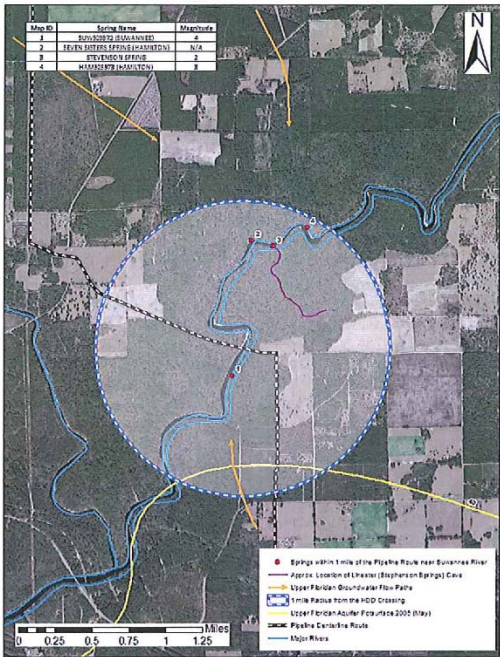
/s/ Thomas S. Edwards, Jr.
THOMAS S. EDWARDS, JR.
State Bar of Florida #395821

For EDWARDS & RAGATZ, P.A.
Attorneys for Intervenor

501 Riverside Avenue, Suite 601
Jacksonville, FL 32202
(904) 399-1609



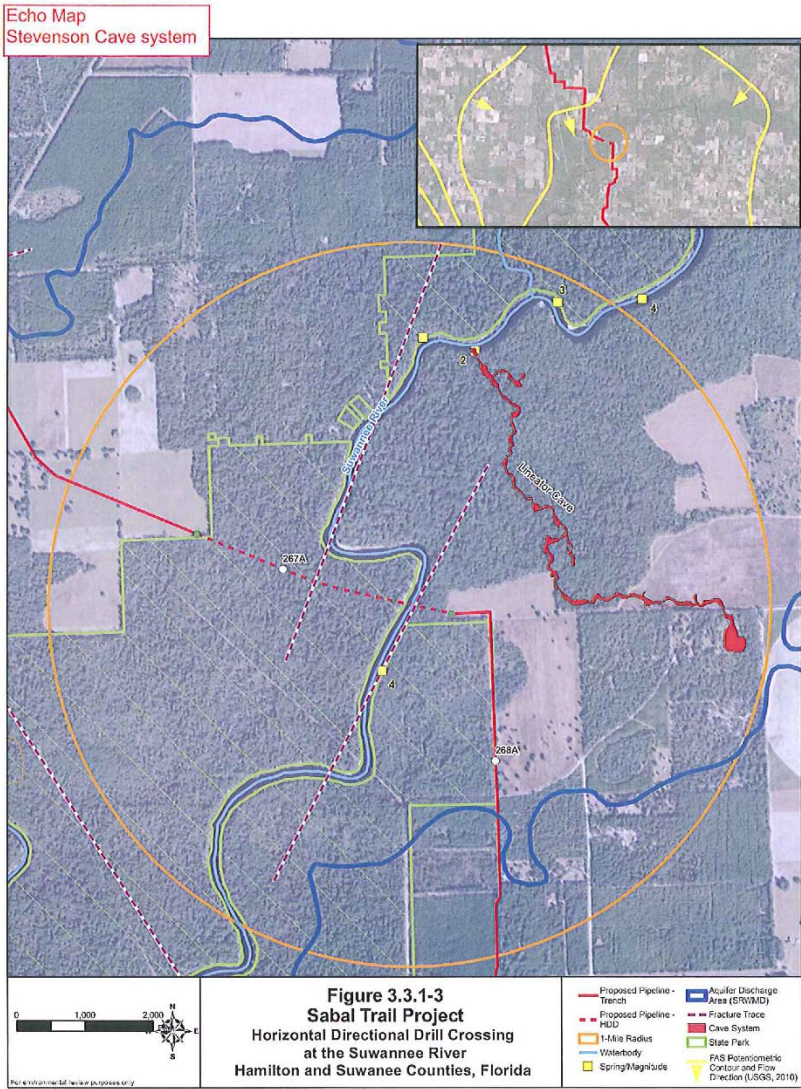
Figure 1. Close-Up View of the Location of the Proposed HDD Crossing of the Suwannee River. The Figure shows the Springs within a One Mile Radius of the Crossing

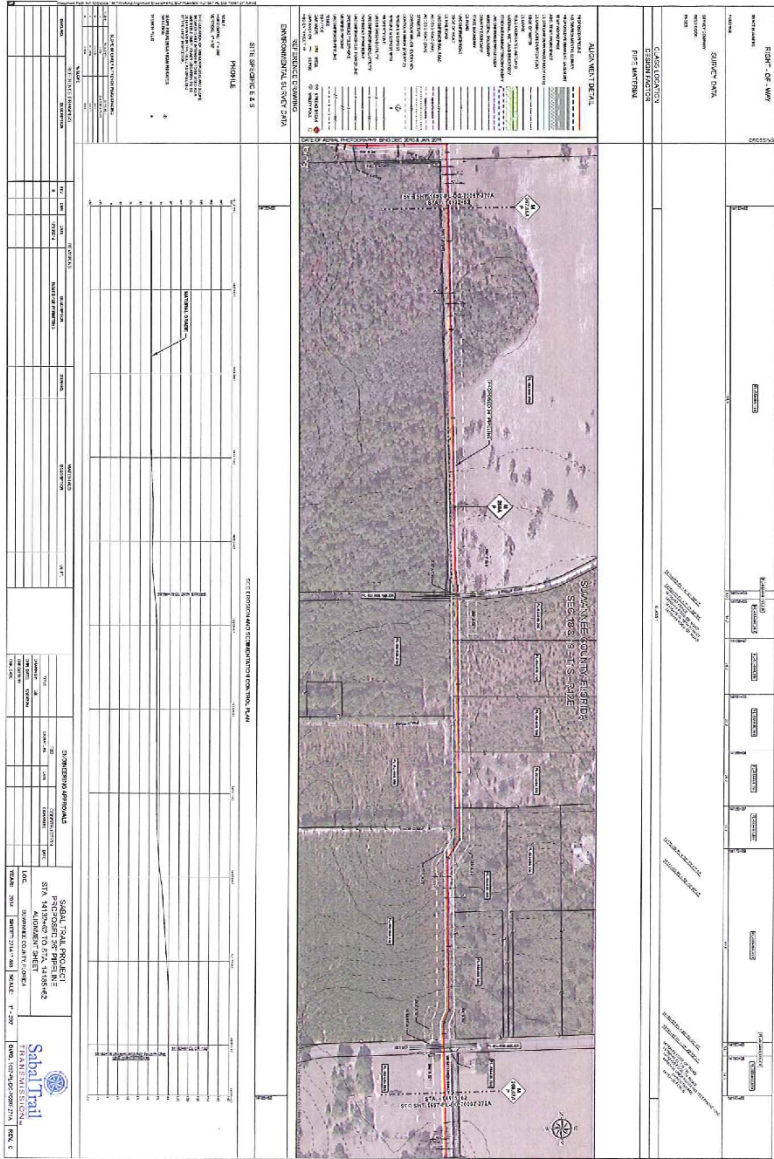


Suwannee Springs

O-241

O-242







ATTACHMENT M

Response to Emailed Comments from Tom Edwards

O-244

Sabal Trail Project



Response to RAI Attachment M



Response to E Mailed Comments from Tom Edwards on January 15, 2015 to Lisa Prather

I am SHOCKED that Sabal failed to address ANY of the major springs in the area of the Suwannee River crossing in their Karst materials. This is a glaring oversight – their own materials state that they should avoid areas such as this because of the confluence of a number of MAJOR springs – having springs in this immediate area leads to large underground water filled tunnels and caverns in the immediate area of the river crossing where they will do the HDD. These springs make this crossing ill advised.

I am attaching a SRWMD press release (See the attached document entitled "Falmouth Dye Trace") where the SRWMD, DEP and FGS recently tested these springs and proved they are all interconnected by tunnels and other water conduits – the interconnected tunnels are both north and south of the pipeline meaning they will be drilling right through an area with interconnected underground tunnel systems jeopardizing the aquifer, these springs and the karst formations – this is acknowledged in their own documents re karst – but they failed to even identify or discuss these springs.

I'm attaching a document from the Sabal filing entitled "pages from Karst Sensitive Areas" – this has 3 pages of excerpts from Sabal's completely flawed and misleading document:

1. a picture supposedly showing the "major springs" in the area where the Suwannee and Withlacoochee come together – NOT ONE SPRING IS SHOWN NEAR THE "V" where the rivers join – compare that to the SRWMD map showing springs – there are 2 magnitude one and 4 magnitude two springs and 2 magnitude four springs all less than 2 miles from the proposed pipeline crossing;
2. The second page claims to identify all major springs the pipeline will go near – the distance from the springs to the pipeline shown on this page range from 1.1 mile to almost 20 miles -- NONE of the above springs are identified or discussed and all are less than 2 miles from the proposed pipeline and some within ½ mile; and
3. The third page shows "fracture traces" that have been documented at the proposed Suwannee River crossing for the pipeline – that is because there are identified "fractures" in the earth – knowing the springs are in the area this means there are probably underground aquifer tunnels at this exact location – that is what the fractures are.

The proposed crossing of the Suwannee River is approximately 1.71 miles north of where the Withlacoochee and the Suwannee Rivers converge (I'm using a measurement from the Suwannee County Property appraiser GIS map from my property line – where they propose to cross the river to the point where the two rivers meet in a "V"). Thus on any map look for the V of the two rivers and the proposed crossing is a little to the north on the Suwannee.

At the point where the Suwannee and the Withlacoochee meet there are NUMEROUS major springs – see the attached map from the Suwannee River Water Management District Web Site (SRWMD Spring Map) – NONE of these springs are addressed in the karst study done by them. There are springs both north of the proposed pipeline and springs south of it.

I am attaching a document from the SRWMD with information on all of the springs that are in this area and which they failed to identify for you. They are all in the area I circled on the attached maps – they are all less than two miles from the proposed crossing – they are all major springs (and should have been identified and discussed) – they are all interconnected as proven by recent testing by your agency and they fall both north and south of the proposed crossing – they could not have picked a worse place to cross. The springs I am identifying are:

CO22 – TSE Plantation, LLC/Thomas S. Edwards, Jr. (cont'd)



1. Lime Run Spring or Sink (magnitude 1 spring, 173 cubic feet per second) – 1.7 miles to the south of the crossing by the V;
2. Falmouth Spring – magnitude 1 - outflow as high as 220 cubic feet per second with recent readings in the range of 160 cubic feet per second) – to the southeast of the V;
3. Stevenson Spring (also known as Lineater Spring and/or SUW923973) - discharge rate of 93 cubic feet per second - magnitude 2 spring - 7 percent shy of magnitude 1 spring – this spring is .7 miles to the north of the crossing.
4. Lime Spring -magnitude 2 spring, 20.3 cubic feet per second – by the V – 1.7 miles to the south of the crossing
5. Suwanacoochee Spring -a magnitude 2 spring, 52 cubic feet of water per second – to the south by the V – 1.5 – 2 miles from the crossing,
6. SUW923971 - magnitude 4 spring, 1 cubic foot per second) – to the south by the V, and
7. Ellaville Spring (also known as Edwards Spring) - magnitude 2 spring, 82 cubic feet per second – to the South by the V
8. SUW923972 – Magnitude 4 – the only one they address at all (they claim it is irrelevant and don't acknowledge it as connected to the others) – less than ½ mile to the north of the crossing

The document I attach from SRWMD gives detail on each spring. Most of these springs have also been shown by the National Speleological Society (the Cave divers group) to be interconnected and many of them have been mapped by this organization with miles of tunnels and caverns in the exact area where the HDD crossing is proposed.

I hope this helps explain that I am not just a disgruntled land owner as the claim in their filing (reference their comment about landowners not wanting their pipeline there). The proposed HDD crossing of the Suwannee River cannot be justified based on language in their own Karst analysis – the likely reason they ignored these springs is their own analysis would prohibit this path if they had revealed them.

Response: Prior to responding to the comments from the concerned citizen, it is important to provide background information on two important issues. First, because loss of drilling fluid is the most significant concern during horizontal directional drilling (HDD) operations to install the pipeline under the rivers, it's important to describe what drilling fluid is. Second, it is necessary to describe how the Upper Floridan aquifer flow system functions in the region to provide context for our responses to the comments.

Drilling fluid, sometimes referred to as drilling mud is a slurry composed of water and bentonite clay (typically 95 percent water) intended to maintain stability of the horizontal borehole, lubricate the drilling head, reduce soil friction and prevent migration of the drill cuttings or fluids outside of the intended drill path. Bentonite clay (sodium montmorillonite) is a naturally occurring clay, usually mined in Wyoming, which is extremely hydrophilic and can absorb up to ten times its weight in water. Bentonite clay is non-toxic to the aquatic environment and is a non-hazardous substance. The composition of the drilling fluids and its engineering properties are specified and tested for their suitability for the given subsurface conditions encountered along the alignment and at each individual HDD location.

Although intended to facilitate the HDD process, there is the potential for inadvertent migration or loss of drilling fluids from the bored hole. However, drilling fluids that are released will likely contain a lower concentration of bentonite when they surface because the mixture may be filtered and diluted as it passes through existing sediments of various types.

Regarding the Upper Floridan aquifer flow system in the region, Figures 1 and 2 depict the location of the proposed Suwannee and Santa Fe River pipeline crossings, locations of springs within several miles of the river crossings, and the potentiometric surface contours indicating the elevation of the water surface in the Upper Floridan aquifer. Lines drawn perpendicular to the potentiometric surface contours show the path that groundwater takes through the Upper Floridan aquifer on the way to discharging at the springs on the river or into the rivers.



The figures show that the river crossings where HDD will occur are at the base-level, or the bottom of the Upper Floridan aquifer flow system. Water is essentially moving down gradient from higher elevations in the aquifer to base-level at the rivers where concentrated discharge occurs at the springs or diffuse discharge occurs through fractures in the river bottom.

The importance of this is that when drilling fluid is pumped into the advancing borehole under the rivers, if it is forced out of the borehole and into a conduit, it is unlikely to impede flow because the conduits that transmit groundwater (active conduits) discharge into the river. If drilling fluid enters a conduit, the down-gradient flow in the conduit will flush the drilling fluid toward the river where it would discharge. If a spring was located very near the crossing, it is possible that drilling fluid could discharge into the river through the spring.

Because the drilling fluid is injected under pressure, it could be forced up gradient in the aquifer to some degree. However, the conduits are not like fully sealed concrete pipes. They are interconnected channels that are fractured everywhere and completely open to exchange of water from the conduit into the surrounding aquifer and from the aquifer into the conduit. Therefore, if drilling fluid is forced under pressure up gradient through a conduit under the river, it is likely to be forced out of the conduit through the river bottom before it travels very far.

Response to Comments from the Concerned Citizen:

The karst experts that conducted the investigation of karst features along the proposed pipeline alignment did not fail to address the springs in the area of the Suwannee River HDD crossing. Sabal Trail experts made a careful survey of all the identified 1st, 2nd, 3rd, and 4th magnitude springs in the region. The springsheds (groundwater contributing area) were plotted for all the 1st and 2nd magnitude springs for which data is available. Sabal Trail experts also mapped the distance from each of these springs to the closest approach of the pipeline corridor. This information is included in the report entitled "Characterization of Karst Sensitive Areas Relative to the Proposed Route of the Sabal Trail Natural Gas Transmission Pipeline in Florida" which was included in an Appendix H of the Environmental Resource Permit Application (December 2014).

For the Karst Mitigation Plan, it was determined that springs within 2,000 feet of HDD river crossings should be monitored for turbidity that could result from the loss of drilling fluid during HDD operations. Sabal Trail located only two springs that met this criteria. Sabal Trail did not address the springs that the comment refers to because they were further from the crossing than 2,000 feet.

The following is our explanation for why the 2,000-foot distance was chosen. Based on the discussion of the flow system at the top of this document, from the HDD river crossings, we do not believe that drilling fluid that might be lost to an active conduit could travel very far up gradient in the flow system against the down-gradient flow of groundwater in the conduit.

Sabal Trail experts advise that the 2,000-foot distance is further than the drilling fluid could travel under these conditions but it was chosen out of an abundance of caution. The major springs referred to in the comment are considerably further than 2,000 feet from the crossing and up gradient in the flow system from it. For the drilling fluid to reach those springs, not only would it have to travel up gradient (essentially uphill) for thousands of feet, but it would also have to travel against the down gradient flow of water in the conduit.

Because the drilling fluid is injected under pressure during HDD, it could be forced up gradient through an active conduit in the aquifer to some degree. However, the conduits are not like fully sealed concrete pipes. They are interconnected channels that are fractured everywhere and completely open to exchange of water from the conduit into the surrounding aquifer and from the aquifer into the conduit. Therefore, if drilling fluid is forced under pressure up gradient through an active conduit under the river, it is likely to be forced out of the conduit and upward through the river bottom before it travels very far. The following discussion further illustrates these concepts.

Figures 1 and 2 show the location of the Suwannee and Santa Fe River crossings, respectively, locations of springs within several miles of the river crossings, and the potentiometric surface contours indicating the



elevation of the groundwater surface in the Upper Florida aquifer. Lines drawn perpendicular to the potentiometric surface contours show the path that water takes in the Upper Floridan aquifer as it makes its way toward the springs.

Figure 3 is a close-up view of the proposed crossing of the Suwannee River. The figure shows all of the springs within a one mile radius of the crossing. The nearest spring is designated Suw923972, is 4th magnitude, and is approximately 1,096 feet down river and down gradient in the flow system of the crossing. Because this spring is down gradient of the crossing and relatively near it, the potential exists for it to be affected by drilling fluid during HDD operations.

There are three springs upriver and up gradient in the flow system of the crossing. They are Seven Sisters Spring of unknown magnitude and Stevenson Springs, 2nd magnitude, at distances of approximately $\frac{3}{4}$ of a mile up gradient in the flow system of the crossing and HAM923973, 3rd magnitude, at a distance of approximately one mile up gradient in the flow system from the crossing. Because these springs are at significant distances up gradient of the crossing, it is unlikely that if drilling fluid intersects an active conduit, it will travel up gradient and against the flow of water in the aquifer to these springs.

Figure 4 is a close-up view of the proposed crossing of the Santa Fe River. The figure shows five springs within one mile of the crossing, all of which are 3rd or 4th magnitude. The nearest spring is designated Suw917972, is 4th magnitude, and is approximately 2,000 feet up gradient in the flow system of the crossing. Because these springs are at significant distances up gradient of the crossing, it is unlikely that drilling fluid could intersect a conduit and travel up gradient and against the flow of water in the aquifer to these springs.

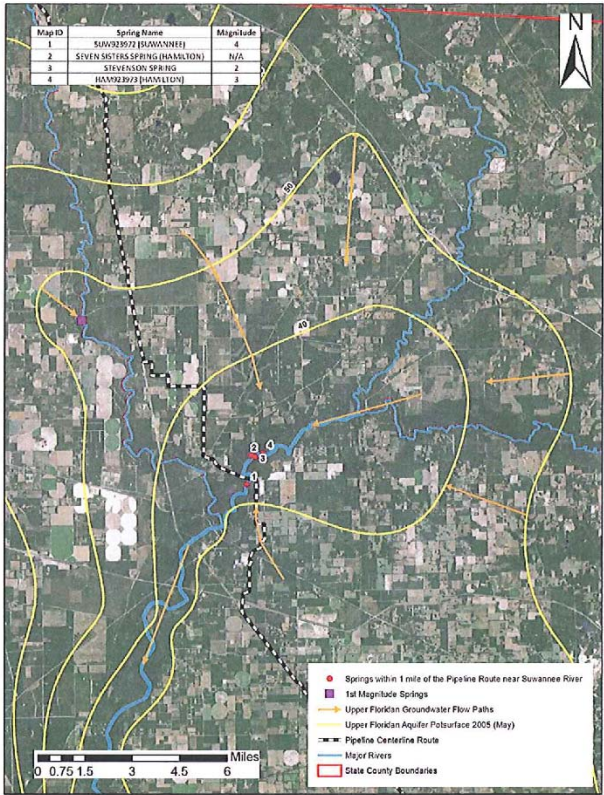


Figure 1. Location of the Suwannee River Crossing and Springs within Several Miles of the Crossing. The Potentiometric Surface Contours Indicate the Elevation of the Groundwater Surface in the Upper Florida Aquifer. Lines Drawn Perpendicular to the Potentiometric Surface Contours show the Path that Groundwater takes through the Upper Floridan aquifer on the way to Discharging at the Springs or the River.

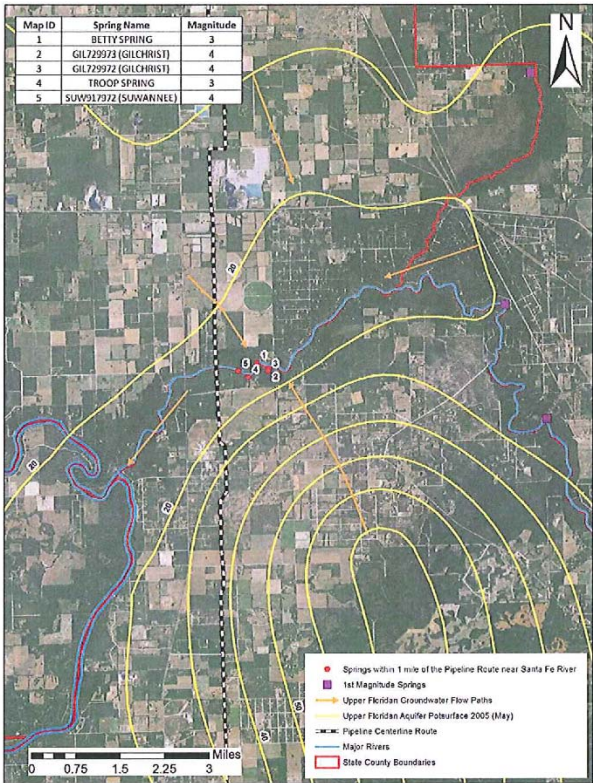


Figure 2. Location of the Santa Fe River Crossing and Springs within Several Miles of the Crossing. The Potentiometric Surface Contours Indicate the Elevation of the Groundwater Surface in the Upper Florida Aquifer. Lines Drawn Perpendicular to the Potentiometric Surface Contours show the path that Groundwater takes through the Upper Floridan Aquifer on the way to Discharging at the Springs or the River.

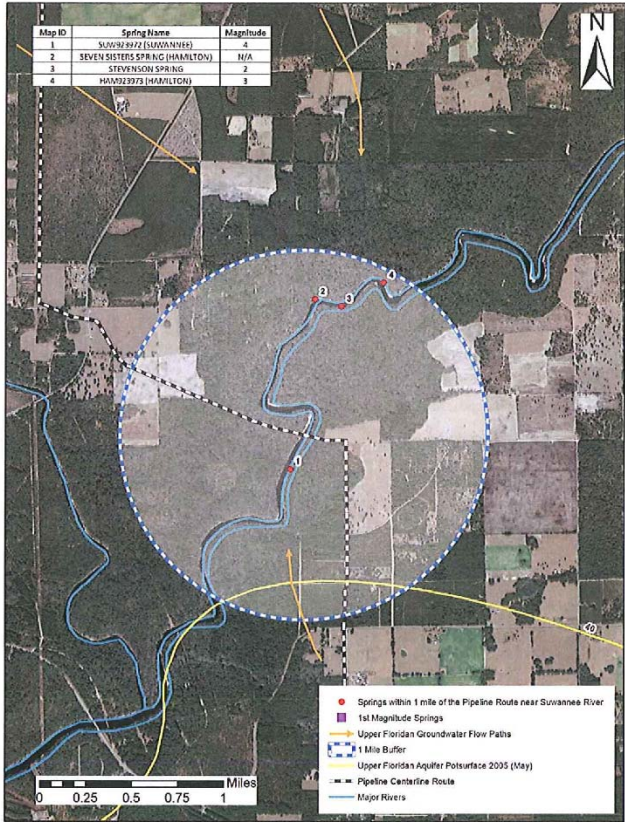


Figure 3. Close-Up View of the Location of the Proposed HDD Crossing of the Suwannee River. The Figure Shows All of the Springs within a One Mile Radius of the Crossing.



Figure 4. Close-Up View of the Proposed HDD Crossing of the Santa Fe River. The Figure Shows All of the Springs within a One Mile Radius of the Crossing.



KARST MITIGATION PLAN

Table 3. Results of Geophysical and Geotechnical Testing for HDD Crossings

Location	Initial Risk Ranking	Geophysical Results	Geotechnical Results	Current Risk Ranking
Flint River	MEDIUM	Solution sinkholes most common and typically are less than 10 feet in diameter ERI and SBP 14 anomalies were identified	Borings on west side of crossing indicate soft to stiff clay, loose to medium dense clay, and medium to very loose to very dense sand. Boring B-1 encountered weight of rod material at 68 and 88 feet along with a possible void at 108 feet. Approximately 70 feet of hollow stem auger stuck and abandoned in boring B-3 following completion of boring. Borings on the east side of the river indicated medium stiff clay and very loose to medium dense sands underlain by weathered limestone in borings FR-B-4 and FR-B-5 and loose to medium dense sands for the full depth of boring FR-B-5	MEDIUM – Installation of pipeline at site feasible but construction difficulties expected with possible loss of drilling fluid returns during HDD operation & localized ground settlement near exit. Large voids not anticipated along HDD path but drilling fluid loss to small voids as those encountered in borings expected. Mitigation measures outlined in this document will increase likelihood of successful installation.
Suwannee River	LOW	Solution sinkholes most common and typically are less than 10 feet in diameter ERI and SBP 11 anomalies were identified	Borings indicate very loose to medium dense silty and clayey sands and soft to medium stiff sandy clay overlying poorly to moderately indurated (weathered) limestone. Top of limestone 20 to 45 feet. Drilling fluid returns lost at 15, 18, 12, & 13 feet in SR-B-1 through SR-B-4, respectively. Voids not noted in the borings but small voids (<12 inches) likely.	MEDIUM – Installation of pipeline at site feasible but construction difficulties expected with loss of drilling fluid returns during HDD operations & localized ground settlement near entry and exit. Large voids not anticipated along HDD path but drilling fluid loss to small voids as those encountered in borings expected. Mitigation measures outlined in this document will increase likelihood of successful installation.



COMPANIES AND ORGANIZATIONS

CO23 – Food & Water Watch

20151026-5487 FERC PDF (Unofficial) 10/26/2015 4:58:31 PM

Please Deny the Sabal Trail Pipeline

Dear FERC Commissioners,

CO23-1 I urge you to protect Florida's natural springs and drinking water by rejecting any plans to build the Sabal Trail Pipeline.

If constructed, the Sabal Trail Pipeline would threaten water supplies for millions of residents, potentially devastating communities along its path if a leak or spill were to occur.

The project would also bisect sensitive ecosystems along areas in Northern and Central Florida which include a network of protected Florida springs.

CO23-2 I fear that this pipeline would also encourage the development of more fracking across our region. Fracking has been shown to be inherently unsafe, and it will have negative economic and environmental impacts for all Floridians.

I urge you to protect Florida communities by denying the construction of the Sabal Trail Pipeline.

Signed,

	First Name	Last Name	City	State	Zip
1	Janis	Sawyer	Santa Rosa Beach	FL	32459
2	Steve	Malecka	Indialantic	FL	32903-3823
3	Pamela	Sennott	Sarasota	FL	34238-2757
4	Robert	Roman	Miami	FL	33126-6056
5	Elizabeth	Guthrie	Webster	NY	14580-4131
6	Karen	Roland	Chipley	FL	32428-4567
7	Catherine	Seely	Riverview	FL	33569
8	David	Lynch	Ocala	FL	34480-6660
9	Frederico	Maretti	Orlando	FL	32828-8382
10	Gavi	Stevens	Largo	FL	33771-1113
11	Nichole	O'Neil	Orlando	FL	32814-6773
12	Kelly	Greene	Miami	FL	33168-4421
13	Sophia	Coleman	Brandon	FL	33511-6350
14	Dorothy	Doyle	Charlestown	MD	21914-0034
15	Suzanne	Dauber	Palm City	FL	34990
16	Donna	Garcia	Sebastian	FL	32958-4810
17	Harold	Grubb	Orlando	FL	32821-7408
18	Cynthia	Shepherd	Titusville	FL	32780-6636
19	Karol	Klein	Dade City	FL	33525-7200
20	Michelle	Szymanski	Delray Beach	FL	33446-3311



www.foodandwaterwatch.org — (202) 683 2500 — 1616 P St. NW, Washington, DC 20036

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CO23-1

See the response to comment FA2-27.

CO23-2

Section 3.14 states that, while the process of shale gas production may impact the same types of resources as would the SMP Project, these impacts are so far removed from the project area that the effects would not be additive with those of the SMP Project. Section 1.2.1 also notes the production of natural gas is not under FERC jurisdiction but, rather, under various state and federal agencies where the facilities are located. Section 1.3 further explains why we do not consider impacts associated with natural gas production in our analysis.

O-254

COMPANIES AND ORGANIZATIONS

CO24 – Southern Natural Gas Company, LLC

O-255

UNITED STATES OF AMERICA

FEDERAL ENERGY REGULATORY COMMISSION

Sabal Trail Transmission, LLC

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Docket No. CP15-17-000

COMMENTS OF SOUTHERN NATURAL GAS COMPANY, L.L.C. ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT PREPARED FOR THE SABAL TRAIL PROJECT

Southern Natural Gas Company, L.L.C. (“Southern”) hereby submits comments in response to the Draft Environmental Impact Statement (“Draft EIS”) issued by the Federal Energy Regulatory Commission (“Commission”) Staff for the Sabal Trail Project. Southern respectfully requests that Commission Staff consider Southern’s comments and incorporate these comments into the Final Environmental Impact Statement (“Final EIS”) prepared for the Sabal Trail Project.

I. INTRODUCTION

On November 21, 2014, Sabal Trail Transmission, LLC (“Sabal Trail”) submitted an application in Docket No. CP15-17-000 to construct, own, and operate a proposed greenfield natural gas pipeline project (“Sabal Trail Project”). The Sabal Trail Project proposes to cross Southern’s pipelines numerous times over approximately 180 miles where the proposed greenfield pipeline would run parallel to Southern’s pipelines. On December 16, 2014, Southern filed a timely Motion to Intervene and Comments in this proceeding (“Comments”). Southern filed additional comments on December 16, 2014, March 26, 2015, and June 5, 2015 in the referenced docket. On September 3, 2015, Commission Staff published a Draft EIS for the Sabal Trail Project.

II. COMMENTS

Southern has met with Sabal Trail multiple times regarding the crossings proposed by Sabal Trail to Southern’s pipelines. Southern is committed to continuing discussions and reaching final agreement regarding the Parallel Construction Agreement, including a detailed construction work plan to bore all crossings and reimbursement of the costs that will be incurred by Southern in connection with the Sabal

CO24 – Southern Natural Gas Company, LLC (cont'd)

O-256

Trail Project. Nevertheless, no final agreement on the Parallel Construction Agreement has been reached yet. Thus, Southern submits the following comments for the Commission Staff's consideration.

CO24-1

Sabal Trail has proposed an excessive number of crossings to Southern's pipelines. Section 4.3 and Appendix D of the Draft EIS "evaluate[d] route alternatives and variations to determine whether their implementation would be preferable to the proposed corresponding action." This section only provides analysis on one variation – the "SONAT" Collocation Variation. The Final EIS should provide specific analysis on eliminating additional crossings. Although Southern is less concerned with the number of crossings since Sabal Trail has agreed, in principle, to bore the large majority of the crossings to Southern's pipelines, the table below details the ten most unnecessary crossings.

Crossover Number	Mile Post	Comments to Eliminate Crossings
23 and 24	90.46 and 91.98	Sabal Trail proposes to cross the Southern right-of-way and back within 1.5 miles in this location. The proposed route does not consistently collocate with Southern right-of-way. Additionally, regardless of which side Sabal Trail collocates with Southern's right-of-way, Sabal Trail must cross the pond. Southern proposes that the Sabal Trail Project remain on the west, which would reduce the overall impacts and avoid two crossings of Southern's right-of-way.
27 and 28	96.29 and 98.22	Sabal Trail proposes to join the Southern right-of-way from the west and immediately cross to the east (MP 27) and then cross back to the west (MP 28) within 2 miles. While Sabal Trail claim cultural resources to the west, the information provided by Sabal Trail does not indicate that the cultural resources immediately abut the Southern right-of-way to the west. Southern proposes that the Sabal Trail Project remain on the west of the Southern pipelines at this location.
33 and 34	109.09 and 116.92	Sabal Trail proposes to cross Southern's right-of-way at MP 33 to avoid a structure. This structure is a pole shed that can be routed around on the same side. To the extent the crossing at MP 33 is eliminated, the crossing at MP 34 could also be eliminated. Southern proposes that the Sabal Trail Project remain west of the Southern pipelines at this location.
67, 68, 69, and 70	241.56, 241.84, 242.10, and 242.68	Sabal Trail proposes four crossings within 1.5 miles. Southern proposes that the Sabal Trail Project remain to the west of the Southern pipelines and follow property lines to avoid residences.

Each crossing poses a risk during construction of the crossing as well as ongoing risks during operation and maintenance of the pipelines. Sabal Trail does not have a compelling reason to cross Southern at these ten locations or a good reason why these crossing could not be eliminated. While Southern recognizes that a route variation at this point in the proceeding may cause some delay, Southern is not

CO24-1

We have reviewed the justifications provided by Sabal Trail for not eliminating the 10 priority crossings, as filed in table 10.6-12 of their September 30, 2015 Supplemental Filing, and conclude that the crossings are justified.

CO24 – Southern Natural Gas Company, LLC (cont'd)

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CO24-1
cont'd responsible for Sabal Trail's poor route selection. Southern expressed to Sabal Trail our objections to the excessive number of crossings as soon as Southern became aware of them and Southern has repeated those same objections to the Commission numerous times. Southern believes these crossings are unnecessary, create additional, avoidable risk, and should be eliminated.

CO24-2 Additionally, Sections 3.13.1 and 5.1.12 of the Draft EIS state that "Sabal Trail has also committed to work with SONAT on the design and construction methods for the 47 proposed crossings, cathodic protection systems, and future maintenance activities." To date, Southern and Sabal Trail have not reached agreement on the Parallel Construction Agreement. Sabal Trail must remain committed to finalizing the Parallel Construction Agreement, including a detailed construction work plan to bore all crossings and reimbursement of the costs that will be incurred by Southern in connection with the Sabal Trail Project; otherwise, Southern's customers will have to bear these substantial costs. Accordingly, Southern requests that the Commission require Sabal Trail to have executed a Parallel Construction Agreement with Southern for the Sabal Trail Project prior to beginning construction. Southern will notify the Commission when the Parallel Construction Agreement has been executed by both parties.

III. CONCLUSION

For the foregoing reasons, Southern respectfully requests that Commission Staff consider Southern's comments and incorporate these comments into the Final EIS prepared for the Sabal Trail Project.

Respectfully submitted,



Margaret G. Coffman
Assistant General Counsel

Dated: October 26, 2015

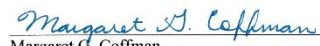
CO24-2 Comment noted. The crossing of utility lines is a common industry practice. Staff is not recommending any changes to the number of crossings or their locations.

CO24 – Southern Natural Gas Company, LLC (cont'd)

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing information by electronic mail upon each person designated on the official service list compiled by the secretary in this proceeding.

Dated at Birmingham, Alabama this 26th day of October 2015.


Margaret G. Coffman
Assistant General Counsel
SOUTHERN NATURAL GAS COMPANY, L.L.C.
P. O. Box 2563
Birmingham, Alabama 35202-2563
(205) 325-7424

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